

BOARD OF SUPERVISORS

MINUTES

January 24, 2007

Supervisors in Attendance:

Mr. Kelly E. Miller, Chairman
Mrs. Renny B. Humphrey, Vice Chrm.
Mr. R. M. "Dickie" King, Jr.
Mr. Donald D. Sowder
Mr. Arthur S. Warren

Mr. Lane B. Ramsey
County Administrator

School Board Members in Attendance:

Mr. Tom Doland
Ms. Dianne Pettitt

Staff in Attendance:

Colonel Carl R. Baker,
Police Department
Mr. George Braunstein,
Exec. Dir., Community
Services Board
Mr. Kevin Bruny, Dean,
Chesterfield University
Mr. Allan Carmody, Dir.,
Budget and Management
Ms. Jana Carter, Dir.,
Juvenile Services
Ms. Marilyn Cole, Asst.
County Administrator
Mr. Roy Covington, Dir.,
Utilities
Mr. Jonathan Davis, Dir.,
Real Estate Assessments
Ms. Rebecca Dickson, Dep.
County Administrator for
Human Services
Ms. Deborah Dugger, Dir.,
Youth Group Home
Ms. Lisa Elko, CMC,
Clerk
Mr. Michael Golden, Dir.,
Parks and Recreation
Mr. Lawrence C. Haake, III,
Registrar
Mr. John W. Harmon,
Right-of-Way Manager
Mr. Russell Harris, Mgr.
of Community Development
Services
Mr. Thomas E. Jacobson,
Dir., Revitalization
Mr. Donald Kappel, Dir.,
Public Affairs
Ms. Kathryn Kitchen, Asst.
Supt. of Schools for
Business and Finance
Chief Paul Mauger,
Fire Department
Ms. Faith McClintic,
Development Manager,
Meadowville Tech. Park
Mr. R. John McCracken,
Dir., Transportation
Mr. Richard M. McElfish,
Dir., Env. Engineering
Mr. Steven L. Micas, County
Attorney
Mr. Jeffrey Mincks, Deputy
County Attorney

Dr. Marcus Newsome, Supt.
of Schools
Mr. Francis Pitaro, Dir.,
General Services
Mr. James J. L. Stegmaier,
Deputy Co. Admin.,
Management Services
Mr. M. D. Stith, Jr.,
Deputy Co. Admin.,
Community Development
Mr. Thomas Taylor, Dir.,
Block Grant Office
Mr. Kirk Turner, Dir.,
Planning
Sheriff Clarence Williams,
Sheriff's Department

Mr. King called the regularly scheduled meeting to order at 3:13 p.m.

1. APPROVAL OF MINUTES FOR JANUARY 10, 2007

On motion of Mrs. Humphrey, seconded by Mr. King, the Board approved the minutes of January 10, 2007, as submitted.

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

2. COUNTY ADMINISTRATOR'S COMMENTS

2.A. RECOGNITION OF ACCREDITATION OF THE CHESTERFIELD COUNTY COMMUNITY SERVICES BOARD BY CARF (COMMISSION ON ACCREDITATION OF REHABILITATION FACILITIES)

Mr. Ramsey recognized the Community Services Board for its continued accreditation by the Commission on Accreditation of Rehabilitation Facilities. He called forward Mr. Braunstein to provide details of the CARF accreditation.

Mr. Braunstein stated the Chesterfield Community Services Board has been informed by CARF that all of its services have been accredited for a period of three years, noting that this is the fourth consecutive three-year accreditation awarded to the CSB. He recognized Ms. Kelly Fried and Ms. Sue Tatum for their efforts that led to the successful accreditation.

2.B. VIRGINIA'S GATEWAY REGION BOARD PRESENTATION

Ms. Renee Wyatt-Chapman, Executive Director of Virginia's Gateway Region Board, updated the Board regarding the economic development organization's activities in the Crater region. She stated 80 new corporate citizens have located in the region in the past decade, creating \$2.2 billion in investment and over 13,000 jobs. She further stated the organization was named one of the top 20 development groups in the nation in 2006 and also received the International Development Council award for the best web site for economic development in the country. She provided details of the organization's efforts in the BRAC initiative, workforce development, and marketing activities. She stated a guide to

doing business in Virginia's Gateway Region has been prepared and is available on-line. She provided data relative to the organization's return on investment and economic development opportunities.

Mr. King expressed appreciation for all that Virginia's Gateway Region Board has accomplished with such a modest budget.

3. BOARD COMMITTEE REPORTS

Mrs. Humphrey stated a joint Matoaca/Clover Hill District constituents' meeting will be held on January 29, 2007 at 7 p.m. at Cosby High School to discuss funding proposals for transportation initiatives.

Mr. King stated he and Mr. Miller held a well-attended joint constituents' meeting on January 22, 2007 regarding the same topic. He thanked the public for its participation.

Mr. Warren stated he received a presentation from Delegate Sam Nixon regarding the county's transportation initiatives at the state level. He further stated he invited Delegate Nixon to attend the January 29th constituents' meeting, and he plans to attend.

Mr. Miller stated the Budget and Audit Committee met prior to the Board meeting and discussed proposed tax rates for FY2008. He further stated the Budget and Audit Committee directed Mr. Ramsey to prepare a proposed budget based on a real estate tax rate reduction to 98 cents from the present rate of \$1.04. He stated, because of extravagant increased assessments, it is important to treat taxpayers fairly in the tax rate process.

Mr. Ramsey stated the Committee also recommended that the real estate tax rate be reduced to 99 cents if the Board chooses to implement the transportation initiatives. He further stated the real estate market has been extremely strong for the past couple of years, and this year's assessments have increased an average of 18 percent. He stated the tax rate proposed by the Budget and Audit Committee will represent approximately the same level of increased funding as has been seen in the past.

In response to Mr. Miller's questions, Mr. Ramsey stated residential assessments have increased an average of 20 percent, and business assessments have increased approximately 10 to 11 percent. He further stated the assessments are based on 2005 activities.

Mr. Sowder stated the Midlothian District constituents' meeting relative to transportation initiatives is scheduled for February 12, 2007 at 7 p.m. Midlothian Middle School.

4. REQUESTS TO POSTPONE ACTION, ADDITIONS, OR CHANGES IN THE ORDER OF PRESENTATION

On motion of Mr. King, seconded by Mr. Sowder, the Board replaced Item 16.C., Public Hearing to Consider Adoption of an Ordinance Establishing a Special Assessment for the

Watkins Centre Community Development Authority and Approval of a Memorandum of Understanding with the Watkins Centre Community Development Authority Regarding the Financing of Certain Infrastructure; and adopted the Agenda, as amended.

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

5. RESOLUTIONS AND SPECIAL RECOGNITIONS

5.A. RECOGNIZING SHERIFF CLARENCE G. WILLIAMS UPON HIS RETIREMENT

Mr. Ramsey introduced Sheriff Williams, who was present to receive the resolution.

On motion of the Board, the following resolution was adopted:

WHEREAS, Sheriff Clarence G. Williams, Jr. began his law enforcement career in 1968 as a member of the Chesterfield County Special Police and became employed by the Chesterfield Police Department on May 15, 1969, serving as a Police Officer until 1974; and

WHEREAS, Sheriff Williams was transferred to the Vice and Narcotics Unit in 1974 as an Investigator; promoted to Sergeant and attended the Drug Enforcement Administration Officers Academy in 1975; and promoted to the rank of Lieutenant in 1980, serving as the Lieutenant of the Vice and Narcotics Unit; and

WHEREAS, Sheriff Williams graduated from the 135th Session of the F.B.I. National Academy in December 1983 as the second Chesterfield Police Officer to attend; and

WHEREAS, Sheriff Williams continued to serve the citizens of the county as the Lieutenant of the Property Unit from 1984 until June 1990; and

WHEREAS, Sheriff Williams was elected Sheriff of Chesterfield County in a special election in November 1990 and was re-elected as Sheriff in 1991, 1995, 1999 and 2003; and

WHEREAS, Sheriff Williams began his tenure as Sheriff by establishing "HIPPP" - Honesty, Integrity, Pride and Professionalism as the standard for his employees to follow when providing services to the citizens of Chesterfield County; and

WHEREAS, Sheriff Williams established an independently operated training academy for the Sheriff's office; led the Sheriff's Office to achieving accreditation through the Virginia Law Enforcement Professional Standards Commission; established Inmate and Weekender Work Forces; integrated video arraignment into the operations of the Chesterfield County Courts; and successfully managed a period of tremendous growth within the Sheriff's Office; and

WHEREAS, Sheriff Williams led efforts to construct a new state-of-the-art jail facility when his staff and the county were faced with the challenge of a significantly

deteriorating and overcrowded jail in need of replacement;
and

WHEREAS, Sheriff Williams has always displayed a genuine concern for the citizens of Chesterfield County and established the Sheriff's Office Seniors In Touch program that provides senior citizens with companionship and assistance; and

WHEREAS, Sheriff Williams served as the Chairman of the Commonwealth of Virginia Department of Corrections, Liaison Committee and as a member of the Virginia Criminal Sentencing Commission; and

WHEREAS, Sheriff Williams has been a long time supporter of Virginia Special Olympics, having served as State Director and Region 5 Director; and

WHEREAS, through his leadership, Sheriff Williams has established the Sheriff's Office as a vital part of the public safety structure not only in Chesterfield County but in the Commonwealth of Virginia; and

WHEREAS, Sheriff Williams has faithfully and successfully served the citizens of Chesterfield County for 37 years, has accomplished goals too numerous to list, and has provided leadership and motivation to those he has worked with.

NOW, THEREFORE, BE IT RESOLVED that the Chesterfield County Board of Supervisors, this 24th day of January 2007, publicly recognizes the outstanding contributions of Sheriff Clarence G. Williams, Jr., expresses the appreciation of all residents for his lifelong service to Chesterfield County, extends appreciation for his dedicated service to the county, as well as best wishes for a long and happy retirement.

AND, BE IT FURTHER RESOLVED, that a copy of this resolution be presented to Sheriff Williams, and that this resolution be permanently recorded among the papers of this Board of Supervisors of Chesterfield County, Virginia.

Ayes: Miller, Humphrey, King, Sowder and Warren.
Nays: None.

Mr. Miller presented the executed resolution to Sheriff Williams, accompanied by members of his family and Mr. Ramsey, expressed appreciation for his faithful service to the citizens of Chesterfield County, and thanked him for implementing the Seniors in Touch Program, which has greatly benefited elderly residents in the county.

Mr. Ramsey expressed appreciation to Sheriff Williams for his outstanding service and for his leadership in the total quality initiative in the Sheriff's Office.

Sheriff Williams expressed appreciation to the men and women of the Sheriff's Office, Mr. Ramsey and members of the Board for their support and stated he is proud to have served the citizens of Chesterfield County. He further stated the county has been built on, and will continue to be built on, honesty, integrity, pride and professionalism.

A standing ovation followed.

**5.B. RECOGNIZING SERGEANT MARK T. WELLS, POLICE DEPARTMENT,
UPON HIS RETIREMENT**

Colonel Baker introduced Sergeant Mark Wells, who was present to receive the resolution.

On motion of the Board, the following resolution was adopted:

WHEREAS, Sergeant Mark T. Wells will retire from the Chesterfield County Police Department on February 1, 2007, after providing 26 years of quality service to the citizens of Chesterfield County; and

WHEREAS, Sergeant Wells has faithfully served the county in the capacities of Patrol Officer, Crime Prevention Officer, Investigator, Senior Patrol Officer, and Sergeant; and

WHEREAS, during his tenure, Sergeant Wells has served as a General Instructor, Field Training Officer, and as a member of the SWAT team; and

WHEREAS, Sergeant Wells was one of the first four investigators assigned to the newly created Anti-Crime Task Force; and

WHEREAS, Sergeant Wells was one of the first three police officers to pilot the new School Resource Officer Program in Chesterfield County, and during his tenure, Officer Wells assisted in writing the class action curriculum for the Governor's Office, which is used in all public high schools in Virginia that have the School Resource Officer Program; and

WHEREAS, Sergeant Wells received the Life Saving Award for his heroism involving the rescue of an accident victim, when after several attempts had been made to rescue a subject that that had been trapped in a vehicle in freezing water, without regard for his own safety, Officer Wells entered the water and was able to pull the victim to safety; and

WHEREAS, Sergeant Wells received a commendation for his excellent police work during an investigation at Manchester High School - while working as a School Resource Officer, Officer Wells made a marijuana arrest which subsequently led to the identification and arrest of the supplier; and with the assistance of the Narcotics Unit, a search of the supplier's home led to the discovery and seizure of an estimated ten pounds of marijuana; and

WHEREAS, Sergeant Wells became the first supervisor to serve as the Court Liaison Sergeant, which promoted a positive and productive work environment between the Police Department and the Courts; and

WHEREAS, Sergeant Wells has received numerous letters of thanks and appreciation for service rendered from the citizens of Chesterfield County; and

WHEREAS, Sergeant Wells has provided the Chesterfield County Police Department with many years of loyal and dedicated service, and Chesterfield County and the Board of Supervisors will miss Sergeant Wells' diligent service.

NOW, THEREFORE, BE IT RESOLVED that the Chesterfield County Board of Supervisors, this 24th day of January 2007, publicly recognizes Sergeant Mark T. Wells, and extends on behalf of its members and the citizens of Chesterfield County appreciation for his service to the county, congratulations upon his retirement, and best wishes for a long and happy retirement.

AND, BE IT FURTHER RESOLVED that a copy of this resolution be presented to Sergeant Wells, and that this resolution be permanently recorded among the papers of this Board of Supervisors of Chesterfield County.

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

Mr. Miller presented the executed resolution to Sergeant Wells, accompanied by members of his family and Colonel Baker, expressed appreciation for his outstanding service, and congratulated him on his retirement.

Mr. Ramsey presented a Jefferson Cup to Sergeant Wells and thanked him for the tremendous service he provided to the county citizens.

Mrs. Humphrey stated she lived next door to Sergeant Wells for many years, and he was a blessing to the neighborhood. She wished him well as he transitions into ministry.

Sergeant Wells expressed appreciation to the citizens and stated it has been a privilege to serve alongside the men and women of the Chesterfield Police Department. He thanked the late Colonel Joseph Pittman who gave him the honor of serving, and Colonel Baker for his leadership.

A standing ovation followed.

6. WORK SESSIONS

O WORK SESSION ON THE PROPOSED FY2008 - 2012 CAPITAL IMPROVEMENT PROGRAM

Mr. Jay Payne, Budget Manager, reviewed 2004 bond referendum projects in progress. He then presented an overview of the proposed FY2008-2012 Capital Improvement Program and reviewed the composition of the proposed CIP and the county only CIP revenue and expenditure summaries.

Mr. Ramsey noted the expenditure summary does not include any of the initiatives discussed at the Transportation Summit. He stated, if the Board chooses to provide funding for any of the initiatives, it will be necessary to amend the Capital Improvement Program.

Mr. Payne provided details of projects and project allocations designated for Libraries, Parks and Recreation,

Health and Social Services, Public Safety, and regional projects.

Discussion ensued relative to the county's share of funding of the site improvements at John Tyler Community College.

Mr. Payne stated 71 percent of the students at John Tyler are Chesterfield residents, and the funding calculations are based upon student population residency.

Mrs. Humphrey requested that the Board be presented with a map showing the location of proposed parks and public safety projects in the CIP. She stated she is particularly interested in the location of the proposed 360 West Park.

Mr. Warren expressed concerns relative to the excessive increase in construction costs.

Mr. Payne stated construction has increased 35 percent over the past 48 months, 25 percent of which has been over the last 24 months.

Mr. Ramsey stated the county uses the Marshall Swift Index and also receives information from the state on specific projects, such as schools. He further stated staff will provide this information to the Board.

Mr. Miller expressed concerns relative to the substantial increase in the projected costs for replacing Clover Hill High School. He stated the 2004 bond referendum projected a \$55 million cost for replacing the school, and it is now being projected at \$92 million. He inquired why the cost has escalated this much.

Ms. Kitchen stated \$55 million was projected in 2003 as the cost to construct Cosby High School and also to replace Clover Hill High School. She further stated Cosby High School was built for approximately \$59.8 million, indicating that the difference between the estimate and the cost were a result of the addition of an emergency generator and provision of off-site roads. She stated the escalating costs for the Clover Hill replacement is due entirely to increases in the construction market. She provided details of statewide construction increases for the past several years. She stated the School Board held a special meeting to hear from the architects and has asked that the educational program be looked at and design standards be revisited to see if there are ways to build schools less expensively.

Mr. Miller expressed concerns relative to the validity of the statewide figures that create the rationale for the \$92 million project, noting that they are based on averages from Northern Virginia and Southwest Virginia.

Ms. Kitchen stated staff will look at similar projects, as well as recent projects in our area in an attempt to validate the statewide figures.

Mr. Ramsey noted the Board will consider the Capital Improvement Program with the adoption of the budget in April.

7. DEFERRED ITEMS

There were no deferred items at this time.

8. NEW BUSINESS

8.A. CLOVERLEAF MALL REDEVELOPMENT

8.A.1. APPROVAL OF PURCHASE AND SALE AGREEMENT WITH CROSLAND INVESTMENTS LLC FOR CLOVERLEAF MALL AND APPROVAL OF THE ECONOMIC DEVELOPMENT AUTHORITY'S INITIATION OF THE PROCESS TO PURCHASE THE LANDLORD'S INTEREST IN THE GROUND LEASE FOR CLOVERLEAF MALL

Mr. Ramsey introduced Mr. James Downs, Retail Division Vice President of Crosland Investments LLC.

Mr. Downs recognized Mr. Todd Mansfield, Crosland's CEO, and Mr. Peter Pappas, President of the Retail Division, who were present at the meeting. He provided details of Crosland's assets and operations. He stated Crosland has the unique ability to execute unique and multi-use developments and places a large emphasis on place making to ensure long-term viability of its projects. He further stated Crosland has gained a reputation for projects that win awards, as well as profitable projects. He stated Crosland has been working with county staff and the Economic Development Authority in an effort to structure a partnership to reposition the Cloverleaf Mall property and has now reached acceptable terms of a purchase and sale agreement with the county. He further stated the redevelopment, which will be called Chippenham Place, will incorporate demolishing the mall structure and developing a multi-use project, incorporating approximately 200,000 square feet of commercial space and more than 500 residential units, consisting of apartments, town homes and single family detached residences. He stated an emphasis will be placed on pedestrian connectivity, as well as preserving green space. He further stated it is anticipated the investment will exceed \$100 million upon final build-out. He then introduced Mr. Pete Williams, President of Kroger, with whom Crosland has entered into a letter of intent for anchoring the retail component of Chippenham Place with one of Kroger's largest stores in the Mid-Atlantic region.

Mr. Williams stated Kroger will have six stores in Chesterfield County by the end of 2008. He further stated Kroger is pleased to partner with Crosland on this project.

Mr. King stated he is convinced that Crosland is the right developer for this project. He further stated he has embraced the new urbanism concept and inquired about Crosland's commitment to seeing that commercial area will not be reduced in the project.

Mr. Downs stated the retail is what peaked Crosland's interest in this particular development, indicating that they will be working diligently to grow the retail component if the market will support it.

Discussion ensued relative to the time period for construction of the project.

Mr. Downs stated Crosland sees the commercial component moving forward as soon as possible with Kroger and any other retail development. He noted that Crosland envisions construction of the retail component first.

Mr. Sowder stated the Midlothian residents are very excited about the project, especially the commercial component.

Mr. Warren stated he is very impressed with the quality of Crosland's projects. He further stated he sees this project as complimenting Beaufont Mall, as well as helping other businesses in the corridor. He stated there are many residential neighborhoods close by that are anxiously looking for this development to occur, indicating that Crosland has an excellent opportunity to be very successful.

Mrs. Humphrey stated she thinks of Kroger as one of the best new corporate partners the county has had in a long time. She further stated Cloverleaf Mall has been used well, and she is entrusting Crosland to do something good with this gateway to the county.

Mr. Ramsey stated staff has worked diligently with Crosland on the quality of this development, which will set the standard for redeveloping the entire corridor. He further stated, although it has been a long process, the Board took charge of this property and stopped the bleeding of property values in the corridor, noting that new construction has already begun in the corridor. He stated this will be a quality development, which will serve a market in the region.

Mr. Miller stated the Dale District is very close to the project, and many of his constituents are welcoming this opportunity, indicating that he feels it will be successful.

Mr. Ramsey called forward Mr. John Hughes, Vice Chairman of the Chesterfield Economic Development Authority.

Mr. Hughes stated the Economic Development Authority unanimously supports this project.

Mr. Mincks stated the Board is being requested to approve the purchase and sale agreement to purchase the property, which the Economic Development Authority currently owns, as well as the EDA's initiation of the process to purchase the ground lease.

On motion of Mr. King, seconded by Mrs. Humphrey, the Board approved: 1) the Purchase and Sale Agreement with Crosland Investments LLC for Cloverleaf Mall; and 2) the Economic Development Authority's initiation of the process to purchase the landlord's interest in the Ground Lease for Cloverleaf Mall. (It is noted a copy of the Purchase and Sale Agreement is filed with the papers of this Board.)

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

8.A.2. INITIATION OF AN APPLICATION TO REZONE THE CLOVERLEAF MALL REDEVELOPMENT SITE

Mr. Ramsey stated the Board is being asked to authorize initiation of a rezoning application.

Mr. Miller stated the Board understands that rezoning of a portion of the property is necessary.

On motion of Mr. Sowder, seconded by Mr. Warren, the Board authorized initiation of a rezoning application on properties listed in the papers of this Board for the Cloverleaf Mall Redevelopment; appointed Mr. Thomas E. Jacobson as the Board's agent; and waived zoning disclosure requirements.

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

Mr. Ramsey recognized Mr. Jacobson for his efforts to bring this project together.

Mr. King stated the significance of this project is that it is a regional initiative, which he believes will filter down Midlothian Turnpike into the City of Richmond.

8.B. STREETLIGHT INSTALLATION COST APPROVALS

On motion of Mr. Warren, seconded by Mr. King, the Board approved the following streetlight installations:

Bermuda District

- In the Fan Court Subdivision, on Cliff Lawn Drive, in the vicinity of 11517 on the existing pole
Cost to install streetlight: \$1.46

Clover Hill District

- In the Southport Business Park, at the intersection of Branchway Road and Business Center Drive
Additional cost to install already approved streetlight: \$2,554.90
- In the Penn Acres Subdivision:
 - o Upgrade the existing light at 8215 Trout Lane from 3000 Lumen Mercury Vapor to 8000 Lumen High Pressure Sodium Vapor
Cost to install streetlight: \$134.00
 - o Upgrade the existing light at 8367 Trout Lane from 3000 Lumen Mercury Vapor to 8000 Lumen High Pressure Sodium Vapor
Cost to install streetlight: \$134.00
 - o Upgrade the existing light at 8401 Trout Lane from 3000 Lumen Mercury Vapor to 8000 Lumen High Pressure Sodium Vapor
Cost to install streetlight: \$448.70
 - o Upgrade the existing light at 124 Jade Road from 3000 Lumen Mercury Vapor to 8000 Lumen High

Pressure Sodium Vapor
Cost to install streetlight: \$438.08

Matoaca District

- Second Branch Road, in the vicinity of 11601
Cost to install streetlight: \$32.00

Ayes: Miller, Humphrey, King, Sowder and Warren.
Nays: None.

8.C. APPOINTMENTS

On motion of Mrs. Humphrey, seconded by Mr. King, the Board suspended its rules at this time to allow for simultaneous nomination/appointment/reappointment of members to serve on the Towing Advisory Board and the Youth Services Citizen Board.

Ayes: Miller, Humphrey, King, Sowder and Warren.
Nays: None.

8.C.1. TOWING ADVISORY BOARD

On motion of Mrs. Humphrey, seconded by Mr. Miller, the Board simultaneously nominated/appointed Mr. Asbury Quillian, representing the county at-large, to serve on the Towing Advisory Board, whose term is effective immediately and will be at the pleasure of the Board.

Ayes: Miller, Humphrey, King, Sowder and Warren.
Nays: None.

8.C.2. YOUTH SERVICES CITIZEN BOARD

On motion of Mrs. Humphrey, seconded by Mr. Miller, the Board simultaneously nominated/reappointed Ms. Stephanie Tompkins, representing the Dale District, to serve as an adult member of the Youth Services Citizen Board, whose term is effective immediately and expires June 30, 2009.

Ayes: Miller, Humphrey, King, Sowder and Warren.
Nays: None.

Mr. Miller excused himself from the meeting.

8.D. CONSENT ITEMS

8.D.1. APPROPRIATION OF JUVENILE ACCOUNTABILITY BLOCK GRANT FUNDS FROM THE DEPARTMENT OF CRIMINAL JUSTICE SERVICES TO ADDRESS JUVENILE CRIME BY PROMOTING GREATER ACCOUNTABILITY IN THE JUVENILE JUSTICE SYSTEM

On motion of Mr. King, seconded by Mr. Sowder, the Board authorized Human Services Administration to receive \$38,267 in Juvenile Accountability Block Grant (JABG) funds from the Department of Criminal Justice Services, and authorized an increase in appropriations by \$38,267. (It is noted the

\$4,251 local match has been identified from existing VJCCCA funds, and no additional county funds will be necessary.)

Ayes: Humphrey, King, Sowder and Warren.

Nays: None.

Absent: Miller.

8.D.2. ADOPTION OF RESOLUTIONS

8.D.2.a. RECOGNIZING MS. MARTHA GOODWIN, DEPARTMENT OF MENTAL HEALTH SUPPORT SERVICES, UPON HER RETIREMENT

On motion of Mr. King, seconded by Mr. Sowder, the Board adopted the following resolution:

WHEREAS, Ms. Martha Goodwin will retire on January 26, 2007 after eighteen years of dedicated and faithful service to Chesterfield County; and

WHEREAS, Ms. Goodwin began her career with the Chesterfield County Department of Mental Health Support Services on January 3, 1989 as a full time Senior Clerk Typist Receptionist and on December 31, 1994 as Senior Office Assistant; and

WHEREAS, Ms. Goodwin served on in-house committees such as the Health and Safety Committee and developed the physician data base for Chesterfield Infant Program day to day activities and Child Find; and

WHEREAS, Ms. Goodwin used her customer service skills to the best of her ability to meet the needs of consumers and staff; and

WHEREAS, Ms. Goodwin always displayed a positive, caring attitude, and an interest in accepting new projects and responsibilities; and

WHEREAS, Ms. Goodwin will be sorely missed for her commitment to providing quality customer service to Chesterfield's citizens.

NOW, THEREFORE BE IT RESOLVED that the Chesterfield County Board of Supervisors recognizes the contributions of Ms. Martha Goodwin, extends appreciation for her eighteen years of dedicated service to the county, and offers congratulations and best wishes for a long and happy retirement.

Ayes: Humphrey, King, Sowder and Warren.

Nays: None.

Absent: Miller.

8.D.2.b. RECOGNIZING MRS. SUSAN B. RAINES, POLICE DEPARTMENT, UPON HER RETIREMENT

On motion of Mr. King, seconded by Mr. Sowder, the Board adopted the following resolution:

WHEREAS, Mrs. Susan B. Raines began her public service with Chesterfield County as Kennelmaster in the Police

Department on May 16, 1978 and has faithfully served the county for twenty-eight years; and

WHEREAS, Mrs. Raines has served the Police Department in the capacities of Kennelmaster and Animal Control Officer; and

WHEREAS, Mrs. Raines was selected as Animal Control Officer of the Year for the years 1988, 1990 and 1998; and

WHEREAS, by providing quality public service, Mrs. Raines has symbolized the type of employee Chesterfield County seeks; and

WHEREAS, Mrs. Raines has received a Certificate of Achievement for her cooperative attitude, teamwork, loyalty, and dedication to duty during the construction and renovation of the Animal Shelter; and

WHEREAS, Chesterfield County and the Board of Supervisors will miss Mrs. Raines' diligent service.

NOW, THEREFORE, BE IT RESOLVED that the Chesterfield County Board of Supervisors recognizes Mrs. Susan B. Raines and extends on behalf of its members and the citizens of Chesterfield County appreciation for her dedicated service to the county.

Ayes: Humphrey, King, Sowder and Warren.

Nays: None.

Absent: Miller.

8.D.2.c. RECOGNIZING REVEREND DR. JOHNNIE FLEMING, JR. FOR HIS OUTSTANDING SERVICE TO THE COMMUNITY

On motion of Mr. King, seconded by Mr. Sowder, the Board adopted the following resolution:

WHEREAS, Reverend Dr. Johnnie Fleming, Jr. is pastor of Second Baptist Church in Chester, Virginia; and

WHEREAS, on Sunday, January 21, 2007, Second Baptist Church celebrated 13 years of Reverend Fleming serving as the church's pastor; and

WHEREAS, Reverend Fleming and his wife, Clementine, and their family have been positive role models for the church and the community-at-large for many years; and

WHEREAS, Reverend Fleming graduated from Northwest High School in 1974 and then served in the U.S. Army, including service in Korea and West Germany; and

WHEREAS, Reverend Fleming served honorably in the U.S. Army for 20 years before retiring from military service; and

WHEREAS, Reverend Fleming served as pastor of the National Baptist Service in Grafenwohr, Germany from 1989-1990; and

WHEREAS, Reverend Fleming received his Associate degree in Applied Science from Central Texas College in 1996 and

also received an Honorary Doctor of Divinity degree from Eastern North Carolina Theological Institute in July 2000; and

WHEREAS, since becoming pastor of Second Baptist Church in 1994, Reverend Fleming has shepherded the church through extensive growth and service to the community; and

WHEREAS, Reverend Fleming earned his Masters of Divinity degree from the Samuel Dewitt Proctor School of Theology at Virginia Union University in May 2006; and

WHEREAS, Reverend Fleming serves his community in many ways, including as chairman of the Chesterfield County Chaplain Association, as a Chesterfield County Police Department chaplain, as a board member on the Board of Social Services for Chesterfield County and the City of Colonial Heights, as a member of the Chester Ecumenical Committee and in numerous other capacities.

NOW, THEREFORE, BE IT RESOLVED that the Chesterfield County Board of Supervisors recognizes the significant contributions of Reverend Dr. Johnnie Fleming to the church, to Chesterfield County and to the region, expresses gratitude on behalf of all Chesterfield County residents for his outstanding service, and wishes Reverend Fleming and his family continued success, fulfillment and happiness.

Ayes: Humphrey, King, Sowder and Warren.

Nays: None.

Absent: Miller.

8.D.3. STATE ROAD ACCEPTANCE

On motion of Mr. King, seconded by Mr. Sowder, the Board adopted the following resolution:

WHEREAS, the streets described below are shown on plats recorded in the Clerk's Office of the Circuit Court of Chesterfield County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, that this Board requests the Virginia Department of Transportation to add the streets described below to the secondary system of state highways, pursuant to Section 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements.

AND, BE IT FURTHER RESOLVED, that this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage.

AND, BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Type Change to the Secondary System of State Highways: **Addition**

Basis for Change: **New subdivision street**

Statutory Reference: **§33.1-229**

Project: **Brynmore**

● **Brynmore Drive, State Route Number: 5970**

From: Centralia Rd., (Rt. 145)

To: Crooked Branch Tr., (Rt. 5971), a distance of: 0.18 miles.

Right-of-way record was filed on 6/28/2004 with the Office Of Clerk To Circuit Court in Pb. 145 Pg. 48,
with a width of 50 feet.

● **Brynmore Drive, State Route Number: 5970**

From: Crooked Branch Tr., (Rt. 5971)

To: Cul-de-sac, a distance of: 0.15 miles.

Right-of-way record was filed on 6/28/2004 with the Office Of Clerk To Circuit Court in Pb. 145 Pg. 48,
with a width of 50 feet.

● **Crooked Branch Terrace, State Route Number: 5971**

From: Brynmore Dr., (Rt. 5970)

To: Cul-de-sac, a distance of: 0.22 miles.

Right-of-way record was filed on 6/28/2004 with the Office Of Clerk To Circuit Court in Pb. 145 Pg. 48,
with a width of 40 feet.

And, further, the Board adopted the following resolution:

WHEREAS, the streets described below are shown on plats recorded in the Clerk's Office of the Circuit Court of Chesterfield County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, that this Board requests the Virginia Department of Transportation to add the streets described below to the secondary system of state highways, pursuant to Section 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements.

AND, BE IT FURTHER RESOLVED, that this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage.

AND, BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Type Change to the Secondary System of State Highways: **Addition**

Basis for Change: **Addition, Secondary System, New subdivision street**

Statutory Reference: §33.1-229

Project: Greenham, Section 1

● **Greenham Drive, State Route Number: 7126**

From: Longmeadow Cr., (Rt. 5131)

To: Greenham Ct., (Rt. 7127), a distance of: 0.03 miles.

Right-of-way record was filed on 11/8/2005 with the Office Of Clerk To Circuit Court in Pb. 159 Pg. 71, with a width of 50 feet.

● **Greenham Court, State Route Number: 7127**

From: Greenham Dr., (Rt. 7126)

To: Cul-de-sac, a distance of: 0.11 miles.

Right-of-way record was filed on 11/8/2005 with the Office Of Clerk To Circuit Court in Pb. 159 Pg. 71, with a width of 50 feet.

● **Greenham Drive, State Route Number: 7126**

From: Greenham Ct., (Rt. 7127)

To: Cul-de-sac, a distance of: 0.04 miles.

Right-of-way record was filed on 11/8/2005 with the Office Of Clerk To Circuit Court in Pb. 159 Pg. 71, with a width of 50 feet.

And, further, the Board adopted the following resolution:

WHEREAS, the streets described below are shown on plats recorded in the Clerk's Office of the Circuit Court of Chesterfield County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, that this Board requests the Virginia Department of Transportation to add the streets described below to the secondary system of state highways, pursuant to Section 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements.

AND, BE IT FURTHER RESOLVED, that this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage.

AND, BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Type Change to the Secondary System of State Highways: Addition

Basis for Change: Addition, Secondary System, New subdivision street

Statutory Reference: §33.1-229

Project: Ivyridge, Section B

● **Ivyridge Drive, State Route Number: 5319**

From: 0.02 mi. E of Ivyridge Tn., (Rt. 5349)

To: Ivyridge Tr., (Rt. 5865), a distance of: 0.07 miles.

Right-of-way record was filed on 3/8/2000 with the Office Of Clerk To Circuit Court in Pb. 131, Pg. 91 and Db. 3776, Pg. 48, with a width of 50 feet.

● **Ivyridge Terrace, State Route Number: 5865**

From: Ivyridge Dr., (Rt. 5319)

To: Cul-de-sac, a distance of: 0.07 miles.

Right-of-way record was filed on 3/8/2000 with the Office Of Clerk To Circuit Court in Pb. 131, Pg. 91 and Db. 3776, Pg. 48, with a width of 40 feet.

● **Ivyridge Drive, State Route Number: 5319**

From: Ivyridge Tr., (Rt. 5865)

To: Ivytree Tr., (Rt. 5866), a distance of: 0.07 miles.

Right-of-way record was filed on 3/8/2000 with the Office Of Clerk To Circuit Court in Pb. 131, Pg. 91 and Db. 3776, Pg. 48, with a width of 50 feet.

● **Ivytree Terrace, State Route Number: 5866**

From: Ivyridge Dr., (Rt. 5319)

To: Cul-de-sac, a distance of: 0.04 miles.

Right-of-way record was filed on 3/8/2000 with the Office Of Clerk To Circuit Court in Pb. 131, Pg. 91 and Db. 3776, Pg. 48, with a width of 40 feet.

● **Grove Place, State Route Number: 1535**

From: 0.05 mi. E of Ivyridge Dr., (Rt. 5319)

To: Ivyridge Dr., (Rt. 5319), a distance of: 0.05 miles.

Right-of-way record was filed on 3/8/2000 with the Office Of Clerk To Circuit Court in Pb. 131, Pg. 91 and Db. 3776, Pg. 48, with a width of 40 feet.

● **Ivyridge Drive, State Route Number: 5319**

From: Ivytree Tr., (Rt. 5866)

To: Cul-de-sac, a distance of: 0.12 miles.

Right-of-way record was filed on 3/8/2000 with the Office Of Clerk To Circuit Court in Pb. 131, Pg. 91 and Db. 3776, Pg. 48, with a width of 50 feet.

And, further, the Board adopted the following resolution:

WHEREAS, the street described below is shown on plats recorded in the Clerk's Office of the Circuit Court of Chesterfield County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the street meets the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, that this Board requests the Virginia Department of Transportation to add the street described below to the secondary system of state highways, pursuant to Section 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements.

AND, BE IT FURTHER RESOLVED, that this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage.

AND, BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Type Change to the Secondary System of State Highways: **Addition**

Basis for Change: **New subdivision street**

Statutory Reference: **§33.1-229**

Project: **Southshore Pointe Drive**

● **Southshore Pointe Drive, State Route Number: 7121**

From: Southshore Dr., (Rt. 4777)

To: Temp EOM, a distance of: 0.17 miles.

Right-of-way record was filed on 12/1/2003 with the Office Of Clerk To Circuit Court in Db. 5502 Pg. 44, 47, 56,
with a width of 50 feet.

And, further, the Board adopted the following resolution:

WHEREAS, the streets described below are shown on plats recorded in the Clerk's Office of the Circuit Court of Chesterfield County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, that this Board requests the Virginia Department of Transportation to add the streets described below to the secondary system of state highways, pursuant to Section 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements.

AND, BE IT FURTHER RESOLVED, that this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage.

AND, BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Type Change to the Secondary System of State Highways: **Addition**

Basis for Change: **New subdivision street**

Statutory Reference: **§33.1-229**

Project: **Carters Mill East**

● **Carters Garden Drive, State Route Number: 7115**

From: Second Branch Rd., (Rt. 653)

To: Carters Hill Dr., (Rt. 7116), a distance of: 0.33 miles.

Right-of-way record was filed on 12/17/2003 with the Office Of Clerk To Circuit Court in Pb. 140 Pg. 1, with a width of 50 feet.

● **Carters Hill Drive, State Route Number: 7116**

From: Carters Garden Dr., (Rt. 7115)

To: Carters Hill Ct., (Rt. 7119), a distance of: 0.12 miles.

Right-of-way record was filed on 12/17/2003 with the Office Of Clerk To Circuit Court in Pb. 140 Pg. 1, with a width of 50 feet.

● **Carters Hill Court, State Route Number: 7119**

From: Carters Hill Dr., (Rt. 7116)

To: Cul-de-sac, a distance of: 0.11 miles.

Right-of-way record was filed on 12/17/2003 with the Office Of Clerk To Circuit Court in Pb. 140 Pg. 1, with a width of 50 feet.

● **Carters Hill Place, State Route Number: 7120**

From: Carters Hill Dr., (Rt. 7116)

To: Cul-de-sac, a distance of: 0.05 miles.

Right-of-way record was filed on 12/17/2003 with the Office Of Clerk To Circuit Court in Pb. 140 Pg. 1, with a width of 50 feet.

● **Carters Garden Drive, State Route Number: 7115**

From: Carters Hill Dr., (Rt. 7116)

To: Carters Garden Ct., (Rt. 7117), a distance of: 0.15 miles.

Right-of-way record was filed on 12/17/2003 with the Office Of Clerk To Circuit Court in Pb. 140 Pg. 1, with a width of 50 feet.

● **Carters Garden Court, State Route Number: 7117**

From: Carters Garden Dr., (Rt. 7115)

To: Cul-de-sac, a distance of: 0.06 miles.

Right-of-way record was filed on 12/17/2003 with the Office Of Clerk To Circuit Court in Pb. 140 Pg. 1, with a width of 50 feet.

● **Carters Garden Drive, State Route Number: 7115**

From: Carters Garden Ct., (Rt. 7117)

To: Carters Garden Tr., (Rt. 7118), a distance of: 0.09 miles.

Right-of-way record was filed on 12/17/2003 with the Office Of Clerk To Circuit Court in Pb. 140 Pg. 1, with a width of 50 feet.

● **Carters Garden Terrace, State Route Number: 7118**

From: Carters Garden Dr., (Rt. 7115)

To: Cul-de-sac, a distance of: 0.19 miles.

Right-of-way record was filed on 12/17/2003 with the Office Of Clerk To Circuit Court in Pb. 140 Pg. 1,
with a width of 50 feet.

● **Carters Garden Drive, State Route Number: 7115**

From: Carters Garden Tr., (Rt. 7118)

To: Cul-de-sac, a distance of: 0.15 miles.

Right-of-way record was filed on 12/17/2003 with the Office Of Clerk To Circuit Court in Pb. 140 Pg. 1,
with a width of 50 feet.

And, further, the Board adopted the following resolution:

WHEREAS, the streets described below are shown on plats recorded in the Clerk's Office of the Circuit Court of Chesterfield County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, that this Board requests the Virginia Department of Transportation to add the streets described below to the secondary system of state highways, pursuant to Section 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements.

AND, BE IT FURTHER RESOLVED, that this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage.

AND, BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Type Change to the Secondary System of State Highways: **Addition**

Basis for Change: **New subdivision street**

Statutory Reference: **§33.1-229**

Project: **Clayborne Village, Section A**

● **Clayborne Lane, State Route Number: 7133**

From: Charter Club Dr., (Rt. 7064)

To: Clayborne Ct., (Rt. 7134), a distance of: 0.07 miles.

Right-of-way record was filed on 9/9/2004 in the Office of Clerk to Circuit Court, in Pb. 147, Pg. 42,
with a width of 44 feet.

● **Clayborne Court, State Route Number: 7134**

From: Clayborne Ln., (Rt. 7133)

To: Cul-de-sac, a distance of: 0.02 miles.

Right of Way Record was filed on 9/9/2004 in the Office of Clerk to Circuit Court, in Pb. 147, Pg. 42,
with a width of 44 feet.

● **Clayborne Lane, State Route Number: 7133**

From: Clayborne Ct., (Rt. 7134)

To: Nicolay Wy., (Rt. 7135), a distance of: 0.06 miles.

Right-of-way record was filed on 9/9/2004 in the Office of Clerk to Circuit Court, in Pb. 147, Pg. 42,
with a width of 44 feet.

● **Clayborne Lane, State Route Number: 7133**

From: Nicolay Wy., (Rt. 7135)

To: Temp EOM, a distance of: 0.03 miles.

Right-of-way record was filed on 9/9/2004 in the Office of Clerk to Circuit Court, in Pb. 147, Pg. 42,
with a width of 44 feet.

● **Nicolay Way, State Route Number: 7135**

From: Clayborne Ln., (Rt. 7133)

To: Nicolay Pl., (Rt. 7136), a distance of: 0.06 miles.

Right-of-way record was filed on 9/9/2004 in the Office of Clerk to Circuit Court, in Pb. 147, Pg. 42,
with a width of 44 feet.

● **Nicolay Place, State Route Number: 7136**

From: Nicolay Wy., (Rt. 7135)

To: Cul-de-sac, a distance of: 0.03 miles.

Right-of-way record was filed on 9/9/2004 in the Office of Clerk to Circuit Court, in Pb. 147, Pg. 42,
with a width of 44 feet.

And, further, the Board adopted the following resolution:

WHEREAS, the street described below is shown on plats recorded in the Clerk's Office of the Circuit Court of Chesterfield County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the street meets the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, that this Board requests the Virginia Department of Transportation to add the street described below to the secondary system of state highways, pursuant to Section 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements.

AND, BE IT FURTHER RESOLVED, that this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage.

AND, BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Type Change to the Secondary System of State Highways: **Addition**

Basis for Change: **New subdivision street**

Statutory Reference: **§33.1-229**

Project: **Clayborne Village, Section B**

- **Nicolay Way, State Route Number: 7135**

From: 0.06 mi. NW of Clayborne Ln., (Rt. 7133)

To: Temp EOM, distance of: 0.05 miles.

Right-of-way record was filed on 5/20/2005 in the Office of Clerk to Circuit Court, in Pb. 154, Pg. 31,
with a width of 44 feet.

And, further, the Board adopted the following resolution:

WHEREAS, the streets described below are shown on plats recorded in the Clerk's Office of the Circuit Court of Chesterfield County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, that this Board requests the Virginia Department of Transportation to add the streets described below to the secondary system of state highways, pursuant to Section 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements.

AND, BE IT FURTHER RESOLVED, that this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage.

AND, BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Type Change to the Secondary System of State Highways: **Addition**

Basis for Change: **New subdivision street**

Statutory Reference: **§33.1-229**

Project: **Clayborne Village, Section C**

- **Clayborne Lane, State Route Number: 7133**

From: 0.03 mi. N of Nicolay Wy., (Rt. 7135)

To: Cul-de-sac, a distance of: 0.07 miles.

Right-of-way record was filed on 6/3/2005 in the Office of Clerk to Circuit Court, in Pb. 154, Pg. 89,
with a width of 44 feet.

And, further, the Board adopted the following resolution:

WHEREAS, the streets described below are shown on plats recorded in the Clerk's Office of the Circuit Court of Chesterfield County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, that this Board requests the Virginia Department of Transportation to add the streets described below to the secondary system of state highways, pursuant to Section 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements.

AND, BE IT FURTHER RESOLVED, that this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage.

AND, BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Type Change to the Secondary System of State Highways: Addition

Basis for Change: **Addition, Secondary System, New subdivision street**

Statutory Reference: **§33.1-229**

Project: **Founders Bridge, Section 4**

● **Pine Vale Place, State Route Number: 7100**

From: Founders Bridge Rd., (Rt. 7062)

To: 0.09 mi. E of Founders Bridge Rd., (Rt. 7062), a distance of: 0.09 miles.

Right-of-way record was filed on 3/18/2005 with the Office Of Clerk To Circuit Court in Pb. 152, Pg. 44,
with a width of 40 feet.

● **Pine Vale Place, State Route Number: 7100**

From: 0.09 mi. E of Founders Bridge Rd., (Rt. 7062)

To: Pine Vale Pl., (Rt. 7100), a distance of: 0.09 miles.

Right-of-way record was filed on 3/18/2005 with the Office Of Clerk To Circuit Court in Pb. 152, Pg. 44,
with a width of 40 feet.

And, further, the Board adopted the following resolution:

WHEREAS, the streets described below are shown on plats recorded in the Clerk's Office of the Circuit Court of Chesterfield County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, that this Board requests the Virginia Department of Transportation to add the streets described below to the secondary system of state highways, pursuant to Section 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements.

AND, BE IT FURTHER RESOLVED, that this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage.

AND, BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Type Change to the Secondary System of State Highways: **Addition**

Basis for Change: **New subdivision street**

Statutory Reference: **§33.1-229**

Project: **Queens Grant at Riverdowns, Section 3**

● **Riverdowns South Drive, State Route Number: 5744**

From: Kings Farm Dr., (Rt. 5739)

To: Brewton Wy., (Rt. 5860), a distance of: 0.26 miles.

Right-of-way record was filed on 2/19/2004 with the Office Of Clerk To Circuit Court in Pb. 141, Pg. 46,

with a width of 50 feet.

● **Riverdowns South Drive, State Route Number: 5744**

From: Brewton Wy., (Rt. 5860)

To: Temp EOM, a distance of: 0.03 miles.

Right-of-way record was filed on 2/19/2004 with the Office Of Clerk To Circuit Court in Pb. 141, Pg. 46,

with a width of 50 feet.

● **Brewton Way, State Route Number: 5860**

From: 0.10 mi. E of Brewton Tr., (Rt. 5861)

To: Riverdowns South Dr., (Rt. 5744), a distance of: 0.01 miles.

Right-of-way record was filed on 2/19/2004 with the Office Of Clerk To Circuit Court in Pb. 141, Pg. 46,

with a width of 40 feet.

And, further, the Board adopted the following resolution:

WHEREAS, the streets described below are shown on plats recorded in the Clerk's Office of the Circuit Court of Chesterfield County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, that this Board requests the Virginia Department of Transportation to add the streets described below to the secondary system of state highways, pursuant to Section 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements.

AND, BE IT FURTHER RESOLVED, that this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage.

AND, BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Type Change to the Secondary System of State Highways: **Addition**

Basis for Change: **New subdivision street**

Statutory Reference: **§33.1-229**

Project: **Tarrington, Section 4**

● **Sherfield Court, State Route Number: 7107**

From: Sherfield Rd., (Rt. 7101)

To: Cul-de-sac, a distance of: 0.02 miles.

Right-of-way record was filed on 5/11/2005 with the Office Of Clerk To Circuit Court in Pb. 153, Pg. 92, with a width of 40 feet.

● **Welby Court, State Route Number: 7108**

From: Welby Dr., (Rt. 7102)

To: Cul-de-sac, a distance of: 0.09 miles.

Right-of-way record was filed on 5/11/2005 with the Office Of Clerk To Circuit Court in Pb. 153, Pg. 92, with a width of 40 feet.

● **Welby Drive, State Route Number: 7102**

From: Welby Ct., (Rt. 7108)

To: Welby Tr., (Rt. 7109), a distance of: 0.07 miles.

Right-of-way record was filed on 5/11/2005 with the Office Of Clerk To Circuit Court in Pb. 153, Pg. 92, with a width of 50 feet.

● **Welby Mews, State Route Number: 7110**

From: Welby Dr., (Rt. 7102)

To: Cul-de-sac, a distance of: 0.18 miles.

Right-of-way record was filed on 5/11/2005 with the Office Of Clerk To Circuit Court in Pb. 153, Pg. 92, with a width of 40 feet.

● **Welby Terrace, State Route Number: 7109**

From: Welby Dr., (Rt. 7102)

To: Cul-de-sac, a distance of: 0.06 miles.

Right-of-way record was filed on 5/11/2005 with the Office Of Clerk To Circuit Court in Pb. 153, Pg. 92, with a width of 40 feet.

● **Welby Drive, State Route Number: 7102**

From: Welby Tr., (Rt. 7109)

To: Welby Pl., (Rt. 7111), a distance of: 0.08 miles.

Right-of-way record was filed on 5/11/2005 with the Office Of Clerk To Circuit Court in Pb. 153, Pg. 92, with a width of 50 feet.

● **Welby Place, State Route Number: 7111**

From: Welby Dr., (Rt. 7102)

To: Cul-de-sac, a distance of: 0.06 miles.

Right-of-way record was filed on 5/11/2005 with the Office Of Clerk To Circuit Court in Pb. 153, Pg. 92,
with a width of 40 feet.

● **Welby Drive, State Route Number: 7102**

From: Welby Pl., (Rt. 7111)

To: Chatwell Rd., (Rt. 7112), a distance of: 0.06 miles.

Right-of-way record was filed on 5/11/2005 with the Office Of Clerk To Circuit Court in Pb. 153, Pg. 92,
with a width of 50 feet.

● **Chatwell Road, State Route Number: 7112**

From: Welby Dr., (Rt. 7102)

To: Temp EOM, a distance of: 0.03 miles.

Right-of-way record was filed on 5/11/2005 with the Office Of Clerk To Circuit Court in Pb. 153, Pg. 92,
with a width of 44 feet.

● **Welby Drive, State Route Number: 7102**

From: Chatwell Rd., (Rt. 7112)

To: Hanwell Ct., (Rt. 7113), a distance of: 0.04 miles.

Right-of-way record was filed on 5/11/2005 with the Office Of Clerk To Circuit Court in Pb. 153, Pg. 92,
with a width of 50 feet.

● **Hanwell Court, State Route Number: 7113**

From: Welby Dr., (Rt. 7102)

To: Cul-de-sac, a distance of: 0.10 miles.

Right-of-way record was filed on 5/11/2005 with the Office Of Clerk To Circuit Court in Pb. 153, Pg 92,
with a width of 44 feet.

● **Welby Drive, State Route Number: 7102**

From: Hanwell Ct., (Rt. 7113)

To: Welby Tn., (Rt. 7114), a distance of: 0.04 miles.

Right-of-way record was filed on 5/11/2005 with the Office Of Clerk To Circuit Court in Pb. 153, Pg. 92,
with a width of 50 feet.

● **Welby Turn, State Route Number: 7114**

From: Welby Dr., (Rt. 7102)

To: Cul-de-sac, a distance of: 0.11 miles.

Right-of-way record was filed on 5/11/2005 with the Office Of Clerk To Circuit Court in Pb. 153, Pg. 92,
with a width of 40 feet.

● **Welby Drive, State Route Number: 7102**

From: Welby Tn., (Rt. 7114)

To: Cul-de-sac, a distance of: 0.05 miles.

Right-of-way record was filed on 5/11/2005 with the Office Of Court To Circuit Court in Pb. 153, Pg. 92,
with a width of 50 feet.

And, further, the Board adopted the following resolution:

WHEREAS, the streets described below are shown on plats recorded in the Clerk's Office of the Circuit Court of Chesterfield County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, that this Board requests the Virginia Department of Transportation to add the streets described below to the secondary system of state highways, pursuant to Section 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements.

AND, BE IT FURTHER RESOLVED, that this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage.

AND, BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Type Change to the Secondary System of State Highways: **Addition**

Basis for Change: **New subdivision street**

Statutory Reference: **§33.1-229**

Project: **Tarrington, Section 5**

● **Ashwell Drive, State Route Number: 5843**

From: 0.01 mi. N of Sherfield Rd., (Rt. 7101)

To: Wilcot Dr., (Rt. 7123), a distance of: 0.09 miles.

Right-of-way record was filed on 6/2/2005 with the Office Of Clerk To Circuit Court in Pb. 154, Pg. 74,
with a width of 50 feet.

● **Ashwell Drive, State Route Number: 5843**

From: Wilcot Dr., (Rt. 7123)

To: Grantly Ct., (Rt. 7124), a distance of: 0.07 miles.

Right-of-way record was filed on 6/2/2005 with the Office Of Clerk To Circuit Court in Pb. 154, Pg. 74,
with a width of 50 feet.

● **Grantly Court, State Route Number: 7124**

From: Ashwell Dr., (Rt. 5843)

To: Cul-de-sac, a distance of: 0.03 miles.

Right-of-way record was filed on 6/2/2005 with the Office Of Clerk To Circuit Court in Pb. 154, Pg. 74,
with a width of 40 feet.

● **Ashwell Drive, State Route Number: 5843**

From: Grantly Ct., (Rt. 7124)

To: Temp EOM, a distance of: 0.03 miles.

Right-of-way record was filed on 6/2/2005 with the Office Of Clerk To Circuit Court in Pb. 154, Pg. 74,
with a width of 50 feet.

● **Wilcot Drive, State Route Number: 7123**

From: Ashwell Dr., (Rt. 5843)

To: Henlow Dr., (Rt. 7125), a distance of: 0.23 miles.

Right-of-way record was filed on 6/2/2005 with the Office Of Clerk To Circuit Court in Pb. 154, Pg. 74,
with a width of 44 feet.

● **Wilcot Drive, State Route Number: 7123**

From: Henlow Dr., (Rt. 7125)

To: Cul-de-sac, a distance of: 0.08 miles.

Right-of-way record was filed on 6/2/2005 with the Office Of Clerk To Circuit Court in Pb. 154, Pg. 74,
with a width of 44 feet.

● **Henlow Drive, State Route Number: 7125**

From: Wilcot Dr., (Rt. 7123)

To: Chatwell Rd., (Rt. 7126), a distance of: 0.09 miles.

Right-of-way record was filed on 6/2/2005 with the Office Of Clerk To Circuit Court in Pb. 154, Pg. 74,
with a width of 44 feet.

● **Chatwell Road, State Route Number: 7126**

From: Henlow Dr., (Rt. 7125)

To: Cul-de-sac, a distance of: 0.06 miles.

Right-of-way record was filed on 6/2/2005 with the Office Of Clerk To Circuit Court in Pb. 154, Pg. 74,
with a width of 44 feet.

● **Chatwell Road, State Route Number: 7126**

From: Henlow Dr., (Rt. 7125)

To: Temp EOM, a distance of: 0.02 miles.

Right-of-way record was filed on 6/2/2005 with the Office Of Clerk To Circuit Court in Pb. 154, Pg. 74,
with a width of 44 feet.

Ayes: Humphrey, King, Sowder and Warren.

Nays: None.

Absent: Miller.

**8.D.4. AWARD OF CONTRACT FOR THE CONSTRUCTION A TURNKEY
MICROWAVE INTERCONNECTING BACKBONE TO ALCATEL USA
MARKETING INCORPORATED**

On motion of Mr. King, seconded by Mr. Sowder, the Board authorized the County Administrator to execute a contract with Alcatel USA Marketing Incorporated on behalf of the Urban Area Security Initiative (UASI) region, in the amount of \$390,908.69, for the purchase and installation of two microwave spurs that will link Goochland and Hanover counties to the existing Capital Region microwave network, which includes Chesterfield, Richmond and Henrico. (It is noted funding is available in the regional UASI Grant, and Chesterfield County is the lead agency for the regional USAI Grant to include all fiscal disbursements.)

Ayes: Humphrey, King, Sowder and Warren.

Nays: None.

Absent: Miller.

**8.D.5. AWARD OF CONSTRUCTION CONTRACT FOR THE GRAVES ROAD
ELEVATED WATER STORAGE TANK REPAIRS AND PAINTING TO
J AND W OF NORTH CAROLINA, INCORPORATED**

On motion of Mr. King, seconded by Mr. Sowder, the Board awarded a construction contract for County Project #05-0363, Graves Road Elevated Water Storage Tank Repairs and Painting Project, to J and W of North Carolina, Incorporated, in the amount of \$618,588, and authorized the County Administrator to execute the necessary documents.

Ayes: Humphrey, King, Sowder and Warren.
Nays: None.
Absent: Miller.

8.D.6. SET DATES FOR PUBLIC HEARINGS

**8.D.6.a. TO CONSIDER AN OPTION AGREEMENT TO PURCHASE THE
REMAINING ACREAGE OF APPROXIMATELY 9.75 ACRES OF
PROPERTY LOCATED ON REYCAN ROAD IN THE CHESTERFIELD
COUNTY INDUSTRIAL AIRPARK WITH COURTHOUSE 3, LLC**

On motion of Mr. King, seconded by Mr. Sowder, the Board set the date of February 14, 2007 at 6:30 p.m. for a public hearing for the Board to consider conveying an option agreement to purchase the remaining acreage of approximately 9.75 acres located on Reycan Road in the Chesterfield County Industrial Airpark, exclusive of any wetlands, to Courthouse 3, LLC.

Ayes: Humphrey, King, Sowder and Warren.
Nays: None.
Absent: Miller.

**8.D.6.b. TO CONSIDER AMENDMENTS TO CHESTERFIELD COUNTY CODE
SECTION 4-52 REGARDING RABIES INOCULATIONS FOR DOGS
AND CATS TRANSPORTED INTO THE COUNTY**

On motion of Mr. King, seconded by Mr. Sowder, the Board set the date of March 14, 2007 at 6:30 p.m. for a public hearing for the Board to consider amendments to Section 4-52 of the County Code relative to rabies inoculations for dogs and cats transported into the county.

Ayes: Humphrey, King, Sowder and Warren.
Nays: None.
Absent: Miller.

**8.D.7. ACCEPTANCE OF TWO PARCELS OF LAND ALONG PROPOSED
HAMLIN CREEK PARKWAY FROM MINEOLA LAND DEVELOPMENT,
L.L.C.**

On motion of Mr. King, seconded by Mr. Sowder, the Board accepted the conveyance of two parcels of land containing a total of 0.039 acres along proposed Hamlin Creek Parkway from Mineola Land Development, L.L.C., and authorized the County Administrator to execute the deed. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Humphrey, King, Sowder and Warren.
Nays: None.
Absent: Miller.

**8.D.8. ACCEPTANCE OF A GRANT AWARDED BY THE VIRGINIA
DEPARTMENT OF CRIMINAL JUSTICE SERVICES FOR THE 2007
CRIMINAL JUSTICE RECORDS SYSTEMS IMPROVEMENT GRANT**

On motion of Mr. King, seconded by Mr. Sowder, the Board authorized the Police Department to accept an award from the Virginia Department of Criminal Justice Services, 2007 Criminal Justice Records Systems Improvement Grant, in the amount of \$199,390; appropriated DCJS funds of \$149,543; transferred \$27,188 for the county's local match; and authorized the County Administrator to execute all documents.

Ayes: Humphrey, King, Sowder and Warren.
Nays: None.
Absent: Miller.

**8.D.9. REQUEST FOR PERMISSION FROM THOMAS D. AND LISA J.
THAYER FOR A RETAINING WALL AND FILL TO ENCROACH
WITHIN A TWENTY-FOOT SEWER EASEMENT ACROSS LOT 15,
FOUNDERS BRIDGE, SECTION 2**

On motion of Mr. King, seconded by Mr. Sowder, the Board approved a request from Thomas D. Thayer and Lisa J. Thayer for permission for a retaining wall and fill to encroach within a 20-foot sewer easement across Lot 15, Founders Bridge, Section 2, subject to the execution of a license agreement. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Humphrey, King, Sowder and Warren.
Nays: None.
Absent: Miller.

**8.D.10. APPROVAL OF WAIVER AND ELECTION RESOLUTION FOR THE
ISSUANCE BY THE APPOMATTOX RIVER WATER AUTHORITY OF
\$2,000,000 IN FINANCING TO COMPLETE THE EXPANSION OF
THE AUTHORITY'S WATER TREATMENT PLANT**

On motion of Mr. King, seconded by Mr. Sowder, the Board approved a Waiver and Election Resolution for the issuance by the Appomattox River Water Authority of \$2,000,000 in financing to complete the expansion of the Authority's water treatment plant. (It is noted a copy of the Waiver and Election Resolution is filed with the papers of this Board.)

Ayes: Humphrey, King, Sowder and Warren.
Nays: None.
Absent: Miller.

8.D.11. TRANSFER OF DISTRICT IMPROVEMENT FUNDS

**8.D.11.a. FROM THE DALE AND BERMUDA DISTRICT IMPROVEMENT
FUNDS TO THE PARKS AND RECREATION DEPARTMENT TO
DEFRAY THE COSTS ASSOCIATED WITH ADVERTISING THE
FALLING CREEK IRONWORKS IN ASSOCIATION WITH THE
400TH ANNIVERSARY OF JAMESTOWN**

On motion of Mr. King, seconded by Mr. Sowder, the Board transferred \$1,500 each from the Dale and Bermuda District Improvement Funds (total of \$3,000) to the Parks and

Recreation Department to defray the costs associated with advertising the Falling Creek Ironworks in association with the 400th anniversary of Jamestown.

Ayes: Humphrey, King, Sowder and Warren.

Nays: None.

Absent: Miller.

8.D.11.b. FROM THE DALE, MATOACA, CLOVER HILL, MIDLOTHIAN AND BERMUDA DISTRICT IMPROVEMENT FUNDS TO THE CHESTERFIELD COUNTY SCHOOL BOARD TO RENOVATE THE KITCHEN FACILITIES AT THE WATKINS ANNEX SCHOOL

On motion of Mr. King, seconded by Mr. Sowder, the Board transferred \$2,000 each from the Dale, Matoaca, Clover Hill, Midlothian and Bermuda District Improvement Funds (total of \$10,000) to the Chesterfield County School Board to renovate the kitchen facilities at the Watkins Annex School.

Ayes: Humphrey, King, Sowder and Warren.

Nays: None.

Absent: Miller.

9. REPORTS

9.A. REPORT ON DEVELOPER WATER AND SEWER CONTRACTS

9.B. REPORT ON STATUS OF GENERAL FUND BALANCE, RESERVE FOR FUTURE CAPITAL PROJECTS, DISTRICT IMPROVEMENT FUNDS AND LEASE PURCHASES

On motion of Mr. King, seconded by Mr. Warren, the Board accepted the following reports: A Report on Developer Water and Sewer Contracts; and a Report on the Status of General Fund Balance, Reserve for Future Capital Projects, District Improvement Funds and Lease Purchases.

Ayes: Humphrey, King, Sowder and Warren.

Nays: None.

Absent: Miller.

Mr. Miller returned to the meeting.

10. FIFTEEN-MINUTE CITIZEN COMMENT PERIOD ON UNSCHEDULED MATTERS

Ms. Brenda Stewart addressed the Board relative to the excessive increase in revaluations of residential property in the county and the inequitableness in assessment of properties in the county. She stated there is something wrong with the system when some taxpayers are facing increases close to 500-600 percent in one year.

Mr. King stated his mother found herself in the same situation, but her property had not been assessed in 13 years.

Mr. Miller stated he shares Ms. Stewart's concerns, indicating that he thinks it should be an equitable process.

Mr. Paul Patton addressed the Board relative to astronomical increased assessments in Rayon Park as a result of the sewer installation.

Mr. Miller stated assessments are increasing all over the state, and the Board is going to look at alleviating the citizens' tax burdens by reducing the real estate tax rates.

11. DINNER

On motion of Mr. Miller, seconded by Mrs. Humphrey, the Board recessed to the Administration Building, Room 502, for dinner.

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

12. INVOCATION

Mr. Russell Harris gave the invocation.

13. PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

Mr. Lawrence Haake led the Pledge of Allegiance to the flag of the United States of America.

14. RESOLUTIONS AND SPECIAL RECOGNITIONS

O RECOGNIZING MS. MARIA R. BROWN FOR HER SERVICE ON THE CHESTERFIELD COMMUNITY SERVICES BOARD

Mr. Braunstein introduced Ms. Maria Brown, who was present to receive the resolution.

On motion of the Board, the following resolution was adopted:

WHEREAS, Ms. Maria R. Brown, representing the Midlothian Magisterial District, has served as a dedicated and faithful member of the Chesterfield County Community Services Board since her appointment by the Board of Supervisors in January 2001; and

WHEREAS, during her term as a member of the Chesterfield County Community Services Board, Ms. Brown has served with distinction as a member of the Finance Committee, the Community Relations Committee, and the Executive Committee; Secretary and Vice Chair of the Board; and Chair of the Board in 2006; and

WHEREAS, Ms. Brown as Chair and Vice Chair, was instrumental in ensuring Board participation in committee and oversight of the Strategic Plan and in developing more structure and Board involvement in the performance evaluation of the Executive Director; and

WHEREAS, Ms. Brown provided the leadership and support needed as the Chesterfield County Community Services Board

completed the process of a department name change to better reflect the services offered; and

WHEREAS, Ms. Brown has been a strong advocate for Chesterfield Community Services Board to sponsor and expand the scope of our Healthy Families Program and Families First; and

WHEREAS, Ms. Brown successfully advocated with county leaders for increased support for the Chesterfield County Community Services Board; and

WHEREAS, Ms. Brown has been an active volunteer and concerned citizen of Chesterfield County, serving in numerous leadership capacities, such as the Monacan Humanities organization, the Stonehenge Civic Association, and is a recognized presenter for prevention programs and workshops; and

WHEREAS, Ms. Brown is a strong advocate for families with disabled family members and insisted that the Community Services Board expand planning for long term needs of the most disabled.

NOW, THEREFORE BE IT RESOLVED, that the Chesterfield County Board of Supervisors, the 24th day of January 2007, publicly recognizes Ms. Maria R. Brown, and expresses sincere appreciation for her continuing efforts to enhance the quality mental health, mental retardation and substance abuse services provided for citizens of Chesterfield County.

AND, BE IT FURTHER RESOLVED, that a copy of the resolution be presented to Ms. Brown, and that the resolution be permanently recorded among the papers of the Board of Supervisors of Chesterfield County, Virginia.

Ayes: Miller, Humphrey, King, Sowder and Warren.
Nays: None.

Mr. Sowder presented the executed resolution to Ms. Brown, accompanied by her husband and Mr. Braunstein, and expressed appreciation for her service as a member of the Community Services Board.

Ms. Brown thanked the Board for the opportunity to serve on the Community Services Board and for its support of families served by the CSB in the county.

**15. REQUESTS FOR MANUFACTURED HOME PERMITS AND REZONING
PLACED ON THE CONSENT AGENDA TO BE HEARD IN THE
FOLLOWING ORDER: - WITHDRAWALS/DEFERRALS - CASES WHERE
THE APPLICANT ACCEPTS THE RECOMMENDATION AND THERE IS NO
OPPOSITION - CASES WHERE THE APPLICANT DOES NOT ACCEPT
THE RECOMMENDATION AND/OR THERE IS PUBLIC OPPOSITION
WILL BE HEARD AT SECTION 17**

07SN0154

In Bermuda Magisterial District, EK-JOT CENTER requests Conditional Use and amendment of zoning district map to permit a family day care home in a Residential (R-15) District. The density of such amendment will be controlled by

zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for residential use of 1.0-2.5 dwelling units per acre. This request lies on 0.2 acres and is known as 11508 Maple Landing Place. Tax ID 778-655-5089.

Mr. Turner stated the applicant has withdrawn Case 07SN0154 from consideration by the Board.

On motion of Mr. King, seconded by Mr. Warren, the Board acknowledged the withdrawal of Case 07SN0154.

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

06SN0339

In Matoaca Magisterial District, HULL STREET ASSOCIATES, LLC AND MICHAEL DZAMAN, MANAGING MEMBER request rezoning and amendment of zoning district map from Agricultural (A) to Residential Townhouse (R-TH) plus Conditional Use Planned Development to permit exceptions to Ordinance requirements. Residential use of up to 8.0 units per acre is permitted in a Residential Townhouse (R-TH) District. The Comprehensive Plan suggests the property is appropriate for mixed use corridor use. This request lies on 15.9 acres fronting approximately 650 feet on the south line of Hull Street Road approximately 2,330 feet west of Otterdale Road, also fronting approximately 250 feet on the north line of Hampton Park Drive. Tax IDs 710-668-3301 and 6409.

Mr. Turner stated Mrs. Humphrey is requesting a deferral of Case 06SN0339 until February 28, 2007.

Mr. William Shewmake, representing the applicant, stated the deferral is acceptable.

Mr. Miller called for public comment.

No one came forward to speak to the deferral.

Mrs. Humphrey stated she does plan to eventually remand this request to the Planning Commission, but the applicant has some administrative paperwork to take care of in the next 30 days to prepare for that process.

Mrs. Humphrey then made a motion, seconded by Mr. King, for the Board to defer Case 06SN0339 until February 28, 2007.

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

07SN0179

In Clover Hill Magisterial District, JEAN C. AGEE requests rezoning and amendment of zoning district map from Agricultural (A) to Residential (R-12). Residential use of up to 3.63 units per acre is permitted in a Residential (R-12) District. The Comprehensive Plan suggests the property is appropriate for medium density residential use of 1.51 to 4.0 units per acre. This request lies on 1.0 acre fronting

approximately 120 feet on the southwest line of Reams Road approximately eighty (80) feet northwest of Wadsworth Drive. Tax ID 752-699-1038.

Mr. Turner presented a summary of Case 07SN0179 and stated the Planning Commission and staff recommended approval and acceptance of the proffered conditions.

Mr. Ron Stitzer, representing the applicant, stated the recommendation is acceptable.

Mr. Miller called for public comment.

No one came forward to speak to the request.

On motion of Mr. Warren, seconded by Mrs. Humphrey, the Board approved Case 07SN0179 and accepted the following proffered conditions:

1. Development shall be limited to a maximum of one (1) dwelling unit. (P)
2. Prior to recordation of the subdivision plat, forty-five (45) feet of right-of-way, as measured from the centerline of Reams Road, shall be dedicated, free and unrestricted, to and for the benefit of Chesterfield County. (T)
3. Direct vehicular access from the property to Reams Road shall be limited to one private driveway. (T)

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

07SN0188

In Bermuda Magisterial District, BENJAMIN BENTON requests rezoning and amendment of zoning district map from Agricultural (A) to Residential (R-12). Residential use of up to 3.63 units per acre is permitted in a Residential (R-12) District. The Comprehensive Plan suggests the property is appropriate for residential use of 2.51-4.0 units per acre. This request lies on 28.9 acres fronting approximately 190 feet on the west line of South Street at its intersection with Tipton Street, also fronting approximately ninety (90) feet on the north line of Milhorn Street at its intersection with Hill Street. Tax IDs 798-635-4396 and 4725.

Mr. Turner presented a summary of Case 07SN0188 and stated the Planning Commission and staff recommended approval and acceptance of the proffered conditions.

Mr. Sam Ragsdale, representing the applicant, stated the recommendation is acceptable.

Mr. Miller called for public comment.

No one came forward to speak to the request.

On motion of Mr. King, seconded by Mr. Warren, the Board approved Case 07SN0188 and accepted the following proffered conditions:

1. The applicant, subdivider, or assignee(s) shall pay the following to the County of Chesterfield prior to the issuance of a building permit for infrastructure improvements within the service district for the property:
 - a. \$15,600 per dwelling unit, if paid prior to July 1, 2007. At the time of payment, the \$15,600 shall be allocated pro-rata among the facility costs as calculated annually by the County Budget Department as follows: \$5,331 for schools, \$602 for parks, \$348 for library facilities, \$404 for fire stations, \$8,915 for roads; or
 - b. The amount approved by the Board of Supervisors not to exceed \$15,600 per dwelling unit adjusted upward by any increase in the Marshall and Swift Building Cost Index between July 1, 2006, and July 1 of the fiscal year in which the payment is made if paid after June 30, 2007. The payment shall be allocated pro-rata as set forth above.
 - c. Cash proffer payments shall be spent for the purposes proffered or as otherwise permitted by law. (B&M)
2. Except for timbering approved by the Virginia State Department of Forestry for the purpose of removing dead or diseased trees, there shall be no timbering on the property until a land disturbance permit has been obtained from the Environmental Engineering Department and the approved device has been installed. (EE)
3. The overall number of residential units shall not exceed twenty-five (25) units. (P)
4. Each dwelling unit shall have a minimum gross floor area of 1,600 square feet. (P)
5. All exposed portions of the foundations of each dwelling unit shall be faced with brick or stone veneer. Exposed piers supporting front porches shall be faced with brick or stone veneer. (P)
6. The following shall be recorded as a restrictive covenant in conjunction with the recordation of each subdivision plat:

Enclosed risers are required on steps to all entryways except at the rear of the house. (P)

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

06SN0225

In Bermuda Magisterial District, TORSTEN PETERSON TRUSTEE requests rezoning and amendment of zoning district map from Agricultural (A) and Light Industrial (I-1) to Community Business (C-3). The density of such amendment will be controlled by zoning conditions or Ordinance standards. The

Comprehensive Plan suggests the property is appropriate for light industrial use. This request lies on 4.3 acres fronting approximately 320 feet on the north line of Bermuda Hundred Road approximately 510 feet east of Kingston Avenue. Tax IDs 820-652-1338 and 2728.

Ms. Beverly Rogers presented a summary of Case 06SN0225 and stated the Planning Commission recommended approval and acceptance of one proffered condition, noting that given the proximity of the property to the Route 10/295 Interchange, commercial use would be appropriate. She further stated staff recommended denial because the proposed zoning and land uses do not conform to the Consolidated Eastern Area Plan, which designates the property for light industrial uses.

Mr. Chris Buyalos, representing the applicant, stated the Planning Commission's recommendation is acceptable.

Mr. Miller called for public comment.

No one came forward to speak to the request.

Mr. King made a motion, seconded by Mrs. Humphrey, for the Board to approve Case 06SN0225 and accept the proffered condition.

Discussion ensued relative to the location of the subject property in proximity to Interstate 295.

In response to Mr. Miller's question, Ms. Rogers stated staff had indicated to the applicant that the ordinance allows certain commercial uses in an industrial park, and if the applicant were willing to limit the commercial uses on the property to those that would normally be permitted within an industrial park, then staff could support those commercial uses. She further stated the applicant has requested additional commercial uses beyond those that would normally be permitted in an industrial park setting.

In response to Mr. Miller's question, Mr. Buyalos stated he is 95 percent sure the property will be used for a hotel.

Mr. Miller expressed concerns relative to maintaining the character of the area because of the proximity of the interchange.

Mr. King stated hotels are typically placed at interchanges. He further stated a McDonalds and Exxon Station are located in front of this property, indicating that he feels the hotel would be a nice transition into the industrial park.

Mr. Sowder stated the Board should be conscious of the limited amount of vacant industrial land in emerging growth areas and reserving those areas for future economic development. He further stated he is satisfied with a hotel on the property.

Mr. Miller stated he would feel better knowing for sure that a hotel was being constructed on the property.

Ms. Rogers stated the hotel is one of the uses that staff indicated to the applicant they would have supported.

Mr. Miller called for a vote on the motion of Mr. King, seconded by Mrs. Humphrey, for the Board to approve Case 06SN0225 and accept the following proffered condition:

The public water system shall be used. (U)

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

06SN0327 (Amended)

In Dale Magisterial District, DEAN E. HAWKINS, ASLA requests rezoning and amendment of zoning district map from Agricultural (A) to General Business (C-5). The density of such amendment will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for community mixed use. This request lies on 8.6 acres lying approximately 400 feet off the east line of Iron Bridge Road approximately 830 feet south of Kingsland Road. Tax IDs 772-673-Part of 3836 and Part of 9738.

Ms. Rogers presented a summary of Case 06SN0327 and stated the Planning Commission recommended denial, on a vote of 4-0, with one member absent. She further stated concerns were expressed at the Planning Commission meeting relative to the impact of the development on area drainage problems and an adjacent property owner's well, as well as the fact that the height of the outside storage area had not been limited. She further stated, since the Commission's consideration of the request, an additional proffered condition has been submitted addressing drainage issues on Kingsland Road. She stated, in addition to that proffer, the applicant also submitted another proffered condition today limiting the amount of drainage that can be released onto the adjacent property to the south. She further stated it will be necessary for the Board to suspend its rules to consider the additional proffered conditions. She stated staff has recommended approval of the request and would recommend acceptance of the additional proffered conditions. She stated, although the request does not conform to the Central Area Plan, given existing area zoning and land use patterns and the proffered conditions which address architectural style as well as compatibility with the existing project, staff feels that the proposal would be compatible with area development.

Mr. Dean Hawkins stated the Planning Commission was concerned about drainage issues and an adjacent well. He further stated, although drainage issues are not normally addressed at the time of zoning, the applicant has tried to be cooperative by submitting Proffered Conditions 8 and 9.

Discussion ensued relative to drainage issues on the adjacent Spencer property, which fronts on Kingsland Road.

Mr. Hawkins stated the applicant has agreed to replace the pipe under Kingsland Road and to also provide on-site detention for storm water management to prevent any worsening of the drainage issues. He further stated the applicant has no plans to release any water onto the Taylor property and has submitted a proffered condition to this effect. He stated, although it has not been addressed with a proffered

condition, the applicant has agreed, by certified letter, to provide Mrs. Taylor with a new well constructed to Health Department standards, at no cost to her if she would allow such installation.

In response to Mr. Miller's questions, Mr. Hawkins stated any outside storage facility will be located beneath the Virginia Power easement, which will result in height limitations because of overhead wires. He further stated he anticipates an enclosure of approximately 10-12 feet in height.

In response to Mr. Miller's question, Ms. Rogers stated the ordinance requires that outside storage areas be screened from public rights of way and properties where outside storage areas are not permitted. She further stated the applicant will be required to screen the outside storage area from adjacent properties, and the height of the screening must be sufficient so that what is stored beyond the barrier is not visible.

Mr. Hawkins stated the majority of the outside storage area will be screened by the buildings themselves.

Mr. Miller called for public comment.

Mr. G. B. Spencer, a resident of Kingsland Road, expressed concerns that Kingsland Road has been closed on four occasions since October 2006 as a result of high water. He stated he does not see how the applicant can guarantee that additional flooding will not occur.

In response to Mr. Miller's question, Mr. Spencer stated the applicant has been a good neighbor so far and done what they said they were going to do. He further stated, if the applicant can guarantee that additional flooding will not occur as a result of the project, then this would be a better use for the property than what could be located there.

Mr. Bruce Taylor expressed concerns that the on-site retention at the existing project is not working. He stated he would like to see a four-foot berm placed around the property to divert runoff from the existing project. He provided photos depicting storm water drainage at the existing facility. He stated he does not oppose the project, but just wants to protect his property.

Mrs. Betty Taylor, an adjacent resident on Ironbridge Road, described the problems she has had with her well since 2003. She expressed concerns that, without an adequate water table, any new well will have water quantity issues also.

Mrs. Myrtle Dowdy, owner of the subject property, stated she wants everyone's issues addressed, if possible, indicating that she supports the rezoning and feels that all issues have been, and will be, addressed.

There being no one else to speak to the request, the public hearing was closed.

Mr. Hawkins stated he understands the flooding issues on Kingsland Road and will do everything possible to make the culvert under Kingsland Road better. He further stated the applicant has never indicated that Quaiff Lane would be

extended up near the Taylor home. He stated the applicant was willing to pay for the cost of extending county water to the Taylor property, but county policy would not allow extension of a private water line; therefore, the applicant has agreed to pay for installation of a new well. He further stated he has a field topography survey of the area, and the applicant has agreed not to release any drainage towards the Taylor property.

Mr. King inquired whether the applicant would be in a position to provide Mrs. Taylor with a deep well, if necessary.

Mr. Hawkins stated the applicant has agreed to dig a deep well in accordance with the Health Department's requirements.

In response to Mr. Miller's questions, Mr. McElfish stated he is satisfied that the proffered conditions are adequate to protect the properties of Mrs. Taylor and Mr. Spencer and not worsen their drainage issues. He further stated the applicant may use different design measures to provide for the storm water management.

Mr. Miller stated he has no evidence to show that Mrs. Taylor's lack of water or diminished quantity of water was a result of the existing development. He further stated the applicant has offered to provide Mrs. Taylor with a new well, and he believes the other proffered conditions are adequate.

Mr. Miller made a motion, seconded by Mr. King, for the Board to suspend its rules to allow for consideration of the additional proffered conditions.

Mr. Miller then made a motion, seconded by Mrs. Humphrey, for the Board to approve Case 06SN0327 and accept the proffered conditions.

Mrs. Humphrey stated she appreciates Mrs. Taylor's reference to her well having been dug by her (Mrs. Humphrey's) father 40 years ago.

Mr. Miller called for a vote on his motion, seconded by Mrs. Humphrey, for the Board to approve Case 06SN0327 and accept the following proffered conditions:

1. Except for timbering approved by the Virginia Department of Forestry for the purpose of removing dead or diseased trees, there shall be no timbering on the Property until a Land Disturbance Permit has been obtained from the Environmental Engineering Department and the approved erosion and sediment control devices have been installed. (EE)
2. The Developer shall be responsible for the full cost of traffic signalization of the Route 10/Quaiff Lane intersection, if warranted as determined by the Transportation Department. (T)
3. The uses permitted shall be restricted to the following:
 - a. Contractor's shop and storage yard;
 - b. Freight forwarding, packing and crating services;

- c. Wholesaling houses and distributors;
 - d. Warehouses.
 - e. Outside Storage as accessory to any uses permitted herein;
 - f. Offices. (P)
- 4. The public water system shall be used. (U)
 - 5. Freestanding light fixtures shall not exceed a height of twenty five (25) feet. All exterior lights, both freestanding and building mounted, shall have a concealed light source. (P)
 - 6. The property shall be developed as part of GPIN 772-672-3298 and be subject to the Ordinance standards as part of a project consisting of the property at GPIN 772-672-3298. (P)
 - 7. The outside storage area shall be developed generally in the location as depicted on the Preliminary Site Plan, prepared by Dean E. Hawkins, ASLA, dated 9 September 2006. (P)
 - 8. The Developer shall retain and release stormwater onsite, or improve the culvert under Kingsland Road and outfall ditch, or provide a combination of onsite stormwater retention and improving the culvert and outfall at Kingsland Road, such that Kingsland Road does not flood during a 10-year storm.
 - 9. No stormwater runoff from impervious surfaces developed on the request parcel shall be released onto the property located at 7611 Iron Bridge Road, also known as GPIN: 772-672-7848-00000. (EE)

Ayes: Miller, Humphrey, King, Sowder and Warren.
Nays: None.

06SN0330

In Dale Magisterial District, JHM, LLC AND CYNTHIA W. AND STEVE W. BRICKELL request amendments to rezoning (Cases 74S042, 75S045 and 78S005) to delete certain buffer requirements on 4.3 acres zoned General Business (C-5) and rezoning and amendment of zoning district map from Residential (R-7) and Community Business (C-3) to General Business (C-5) of 1.0 acre. The density of such amendment will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for mixed use corridor use. This request lies on 5.3 acres fronting approximately 130 feet on the north line of Canasta Drive, also fronting approximately 470 feet on the west line of Iron Bridge Road and located in the northwest quadrant of the intersection of these roads. Tax IDs 773-680-6620, 7615, 8039 and 8757.

Ms. Rogers presented a summary of Case 06SN0330 and stated the Planning Commission recommended approval of the rezoning

request subject to one condition and acceptance of four proffered conditions, indicating that the zoning would address concerns relative to the u-turn movements currently occurring on Route 10 from the existing operation and that the proffered conditions address concerns relative to Canasta Road neighborhood residents who are experiencing truck traffic cutting through the neighborhood to avoid u-turn movements on Route 10. She further stated staff recommended denial of the rezoning because the proposed zoning and land uses do not conform to the Central Area Plan, and the proposed access to Canasta Drive is too close to the intersection with Route 10 to ensure adequate safety. She stated, since the Commission's consideration of the request, Proffered Conditions 1 and 2 have been modified to further restrict the uses permitted and to address staff's concerns relative to the enforceability of restriction on right turn movements from the proposed access to Canasta Drive. She further stated both staff and the Planning Commission recommended approval of the requested buffer amendment because the zoning ordinance now addresses these requirements.

Mr. Jeff Collins, representing the applicant, stated the applicant desires to construct an office building and has submitted proffered conditions to limit the uses permitted to those permitted by the current C-3 zoning plus the access to the existing contractor's business. He further stated the applicant is requesting access to Canasta Drive because there is no crossover on Route 10 to reach the existing office building, and in order to travel north, large trucks exiting the facility must either make a u-turn on Route 10 or make a right onto Canasta Drive through the neighborhood to Route 10. He stated the installation of the proposed access point would eliminate the need to turn right onto Canasta Drive or to make a u-turn on Route 10. He further stated the applicant has submitted a revised proffered condition that would require the access point to be constructed to discourage right turns onto Canasta Drive and would also require posting of a sign to prohibit right turns, indicating that the safety issues merit the applicant's ability to provide the proposed access onto Canasta Drive. He requested the Board's approval of the request, including the amended proffered conditions.

Mr. Miller called for public comment.

No one came forward to speak to the request.

Mr. Miller stated, although the request does not technically comply with the Plan, he has considered the tradeoffs with public safety and feels the proposal will be better than the current situation.

Mr. Miller then made a motion, seconded by Mr. King, for the Board to suspend its rules to consider the amended proffered conditions.

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

On motion of Mr. Miller, seconded by Mr. King, the Board approved Case 06SN0330 subject to the following condition:

With the approval of this request, Condition 1 of Case 74S042, the Condition of Case 75S045 and Condition 1 of Case 78S005 are deleted, and Condition 2 of Case 74S042 is amended to delete the twenty (20) foot buffer along the western property boundary of Tax ID 773-680-8039. (P)

(Staff Note: This Condition is applicable to Tax IDs 773-680-8039 and 8757 only. The twenty (20) foot wide buffers along the rear of the parcels remains in effect.)

And, further, the Board accepted the following proffered conditions:

1. Permitted Uses on Tax ID's 773-680-6620 and 773-680-7615 shall be limited to:
 - a. All uses permitted by right or with restrictions in the Community Business (C-3) District.
 - b. Access for the contractor's shop and storage yard located on Tax IDs 773-680-8039 and 773-680-8757.
(P)

THE FOLLOWING PROFFERED CONDITIONS APPLY TO GPIN 773-680-8757, 773-680-8039, 773-680-6620 AND 773-680-7615

2. Direct vehicular access from the property to Route 10 shall be limited to one (1) entrance/exit, located approximately halfway between Canasta Drive and the existing crossover to the east. Direct vehicular access from the property to Canasta Drive shall be limited to one (1) entrance/exit that aligns generally with Wilmoth Drive. The access to Canasta Drive shall be designed to discourage vehicles exiting the property from making a right turn onto Canasta Drive and signage shall be posted stating that no right turn is allowed at the exit onto Canasta Drive, as approved by the Department of Transportation. (T)
3. Prior to any site plan approval or at the request of the Transportation Department within 120 days of approval this request, the following right-of-way shall be dedicated, free and unrestricted, to and for the benefit of Chesterfield County:
 - a. One hundred (100) feet on the west side of Route 10, measured from the centerline of the roadway, immediately adjacent to the property.
 - b. Forty-five (45) feet, measured from the centerline of Canasta Drive, immediately adjacent to the property. (T)
4. Prior to the issuance of a certificate of occupancy for any use other than a contractor's office and associated facilities, an additional lane of pavement shall be constructed along Route 10 for the entire property frontage. Prior to the issuance of a certificate of occupancy for any development that is anticipated to generate more than 3,000 vehicles per day, as determined by the Transportation Department, a separate right turn lane shall be constructed along Route 10 at the site access. (T)

Ayes: Miller, Humphrey, King, Sowder and Warren.
Nays: None.

Mr. Miller excused himself from the meeting.

06SN0311

In Matoaca Magisterial District, JOHN NOLDE requests amendment to Conditional Use Planned Development (Case 03SN0214) and amendment of zoning district map relative to permitted uses and building size. The density of such amendment will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for single family residential use of 2.0 units per acre or less. This request lies in a Residential (R-9) District on 4.1 acres fronting approximately 350 feet on the east line of Woolridge Road fronting approximately 470 feet on the south line of Watermill Parkway, also fronting approximately 180 feet on the west line of Sailboat Drive and located in the southwest quadrant of the intersection of these roads. Tax ID 719-687-Part of 2245.

Ms. Rogers presented a summary of Case 06SN0311 and stated the Planning Commission and staff recommended denial because the proposed amendments do not conform to the Upper Swift Creek Plan, and the existing limitations on gross floor area of buildings were designed to provide an effective land use transition between the commercial uses and the adjoining residential community.

Mr. John Nolde stated he is seeking to obtain additional uses and the ability to increase the size of some of the buildings to allow for more efficient site planning. He further stated the subject property is a suburban mixed-use site. He stated a successful neighborhood retail center would serve area residents basic commercial services close to home. He further stated the requested additional uses are necessary for the success of the proposed development. He requested the Board's approval.

Mrs. Humphrey called for public comment.

Mr. Mark Englisby, a resident of the Edgewater community, requested that fast food restaurants with drive-thru windows not be allowed. He also requested that a Starbucks not be allowed.

Ms. Andrea Epps stated, while she does not oppose commercial use of the subject property, the site should be designed to discourage cut-through traffic.

There being no one else to speak to the request, the public hearing was closed.

Mrs. Humphrey stated she agrees with Mr. Englisby's concerns regarding drive-in restaurants, but the applicant has not requested this type of use. She further stated she does not consider Starbucks in the same category as a fast food restaurant. She stated the community needs neighborhood

services, and she supports the proposal, which represents a good use of the subject property.

Mrs. Humphrey then made a motion, seconded by Mr. Sowder, for the Board to approve Case 06SN0311 and accept the proffered conditions.

Mr. Miller returned to the meeting.

Mr. Sowder stated the applicant is requesting very little beyond what is already allowed on the property. He further stated he believes the proposed development will be an asset to the community.

After brief discussion, Mrs. Humphrey called for a vote on her motion, seconded by Mr. Sowder, for the Board to approve Case 06SN0311 and accept the following proffered conditions:

1. Uses: In addition to those uses permitted by right or with restrictions in Case 03SN0214, the following uses shall be permitted:
 - a. Fast food restaurant uses without drive in windows.
 - b. Carry-out restaurants uses without drive in windows.
 - c. Health clubs.
 - d. Office supply stores.
 - e. Mailing services stores.
 - f. Printing shops, providing that only copying and/or duplicating machines are used.
 - g. Art schools, galleries, or museums.
 - h. Schools for music or dance.
 - i. Pet shops, including pet grooming.
 - j. Catering establishments.
 - k. Medical facilities or clinics.
 - l. Hobby stores.
 - m. Clothing stores.
 - n. Curio or gift shops.
 - o. Eyewear sales and services.
 - p. Jewelry stores.
 - q. Paint and wallpaper stores.
 - r. Toy stores. (P)
2. Development Standards: Development shall conform to the requirements of Case 03SN0214, except as follows:
 - a. Individual buildings. Individual buildings shall not exceed 8,000 square feet of gross floor area. Such buildings may be located within 200 feet of an existing residentially zoned parcel. (P)

(Staff Note: Proffered Condition 1 is in addition those uses permitted by Condition 1 of Case 03SN0214 for the request property only. Proffered Condition 2 supersedes Condition 2.b of Case 03SN0214 for the request property only. Except for Proffered Conditions 1 and 2, all previous conditions and proffered conditions of Case 03SN0214 shall remain in effect.)

Ayes: Humphrey, King, Sowder and Warren.

Nays: None.

Abstain: Miller.

06SN0322 (Amended)

In Matoaca Magisterial District, NEW CINGULAR WIRELESS PCS, LLC requests Conditional Use and amendment of zoning district map to permit a communications tower in a Residential (R-88) District. The density of such amendment will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for residential use of 1-5 acre lots, suited to R-88 zoning. This request lies on 5.0 acres of a 109-acre parcel fronting approximately 1,800 feet on the west line of Ivey Mill Road approximately 2,200 feet on the north line of Lake Chesdin Parkway and located in the northwest quadrant of the intersection of these roads. Tax ID 734-630-1881.

Ms. Rogers presented a summary of Case 06SN0322 and stated the Planning Commission and staff recommended approval subject to conditions. She noted the proposal conforms to the Public Facilities Plan and the Tower Siting Policy.

Mr. Burke Lewis, representing the applicant, stated the location is appropriate for a tower and will provide minimal impact on the surrounding community. He provided photo simulations of the proposed tower and tower site, which is at least 700 feet from the nearest residential lot line. He stated the county has conceptual plans to create an active park on the subject property, which depict a buffer along the perimeter of the parcel. He further stated a tower site was chosen at the northern boundary of the parcel, adjacent to proposed green space, after consultation with the Parks and Recreation and Planning Departments. He stated the developer and President of the Homeowners Association for Chesdin Landing supports the request, recognizing the need for cellular coverage in this area. He further stated the applicant accepts the recommendations of staff and the Planning Commission.

Mr. Miller called for public comment.

Mr. Justin Summers, a resident of Chesdin Landing and an adjacent property owner, expressed concerns relative to inaccuracy of staff's recommendation relative to visibility because it was made prior to staff visiting the site and the balloon test being performed. He stated there are structures located within a mile of the subject property where the proposed antenna could co-locate and expressed concerns that the conditions will not protect adjacent property owners.

Ms. Dawn Saunders, an adjacent property owner, stated she was present during a couple of the balloon tests and had no problem viewing the balloon. She inquired why a housing development would be chosen for the tower location since it is not a densely populated area. She stated she thinks there is an opportunity for Cingular to meet their needs for improved service without affecting the property value of adjacent residents. She stated she has 57 signatures of residents in Chesdin Landing who oppose the tower at this location.

Mr. Lewis stated the site was chosen to provide quality coverage to Chesdin Landing residents and to the road network feeding into and along the development. He further stated, co-locating Cingular's antenna on the nearby VEPCO

transmission line is not an adequate alternative because it would result in substantially diminished scope and quality of coverage.

There being no one else to speak to the request, the public hearing was closed.

Mrs. Humphrey stated Ms. Saunders raised valid questions about the siting of the tower and necessity for the coverage of the tower. She stated there is nothing in the application that is a deviation from any other tower site the Board has approved. She further stated it is unfortunate that the tower will probably be visible from some of the homes in Chesdin Landing, but it is necessary to accommodate the need for cellular coverage in emergency situations. She suggested that the residents be involved in the park planning process. She stated she heard from several residents who supported the request because they want cellular coverage in their area.

Mrs. Humphrey then made a motion, seconded by Mr. King, for the Board to approve Case 06SN0322, subject to the following conditions:

1. The telecommunications tower and access road to the telecommunication tower site shall be located generally as depicted on the plan entitled Lake Chesdin Park, Sheet Number C1, last revised 9-20-06 and prepared by BC Architects Engineers. (P)
2. There shall be no signs permitted to identify this use. (P)
3. The base of the tower shall be enclosed by a minimum six (6) foot high fence, designed to preclude trespassing. The fence shall be placed so as to provide sufficient room between the fence and the property line to accommodate evergreen plantings having an initial height and spacing to provide screening of the base of the tower and accessory ground-mounted equipment or structures from adjacent properties. A minimum 100-foot buffer of mature trees shall be preserved outside of and adjacent to the compound, on the north side of the compound. A detailed plan depicting these requirements shall be submitted to the Planning Department for approval in conjunction with final site plan review. Except as otherwise provided herein, no trees within the buffer may be removed unless such trees are dead, diseased or dying. (P)
4. The color and lighting system for the tower shall be as follows:
 - a. The tower shall be gray or another neutral color, acceptable to the Planning Department.
 - b. The tower shall not be lighted.
 - c. The tower shall be a monopole structure (P)
5. Any building or mechanical equipment shall comply with Sections 19-595 and 19-570 (b) and (c) of the Zoning Ordinance relative to architectural treatment of

building exteriors and screening of mechanical equipment. (P)

(NOTE: Section 19-570 (b) and (c) would require the screening of mechanical equipment located on the building or ground from adjacent properties and public rights of way. Screening would not be required for the tower or tower-mounted equipment.)

6. The tower shall not exceed a height of 199 feet. (P)

7. At such time that the tower ceases to be used for communications purposes for a period exceeding twelve (12) consecutive months, the owner/developer shall dismantle and remove the tower and all associated equipment from the property. (P)

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

07SN0135

In Matoaca Magisterial District, FIVE FORKS CORPORATION requests rezoning and amendment of zoning district map from Agricultural (A) to Community Business (C-3). The density of such amendment will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for conservation: passive recreation and mixed use corridor uses. This request lies on 22.3 acres fronting approximately 1,670 feet on the south line of Hull Street Road across from Woodlake Village Parkway. Tax ID 719-670-5788.

Ms. Rogers presented a summary of Case 07SN0135 and stated the Planning Commission recommended approval and acceptance of the proffered conditions. She further stated staff recommended denial because the proposed zoning and land uses do not conform to the Upper Swift Creek Plan.

Mr. Andy Scherzer, representing the applicant, stated the property is uniquely situated and isolated from the residential properties along Ashbrook Parkway. He noted there is commercial zoning across the street at the Woodlake Village Shopping Center, as well as immediately to the west of the subject property. He stated the applicant has requested the ability to have only one fast-food restaurant because of the limited access. He requested the Board's support of the Planning Commission's recommendation.

Mr. Miller called for public comment.

No one came forward to speak to the request.

Mrs. Humphrey recognized the landowner, Mr. Vernon LaPrade, who was present at the meeting.

On motion of Mrs. Humphrey, seconded by Mr. Sowder, the Board approved Case 07SN0135 and accepted the following proffered conditions:

1. Uses.
 - A. Those uses permitted by right or with restrictions in the Community Business (C-3) District provided that the following uses shall be restricted as follows:
 1. Cocktail lounges and nightclubs provided that they are secondary to a restaurant.
 2. Restaurant, fast food provided that it shall be limited to one.
 3. Motor Vehicle washes provided that it is in conjunction with a convenience store.
 - B. The following uses shall not be permitted:
 1. Home centers.
 2. Hospitals.
 3. Indoor flea markets.
 4. Repair services, excluding motor vehicle repair.
 5. Secondhand and consignment stores, excluding motor vehicle consignment lots.
 6. Taxidermies. (P)
2. Public water and wastewater shall be used. (U)
3. Prior to the issuance of the building permit for this site, the developer shall make payment to Chesterfield County in the amount of \$200.00 per acre (not to exceed \$2,230.00 based upon the total acreage in the property) as a contribution towards the expansion of the Dry Creek Wastewater Pump Station. (U)
4. Except for timbering approved by the Virginia State Department of Forestry for the purpose of removing dead or diseased trees, there shall be no timbering on the Property until a land disturbance permit has been obtained from the Environmental Engineering Department and the approved devices installed. (EE)
5. Direct vehicular access from the property to Hull Street Road (Route 360) shall be limited to one (1) entrance/exit. This access shall align with the existing crossover on Route 360, generally located midway on the property frontage, and shall restrict vehicles exiting the property from traveling west on Route 360. The exact location and design of this access shall be approved by the Transportation Department. (T)
6. Prior to site plan approval or within sixty (60) days from a written request by the Transportation Department, whichever occurs first, one hundred (100) feet of right-of-way along the south side of Route 360, measured from the centerline of that part of Route 360 immediately adjacent to the property, shall be dedicated, free and unrestricted, to and for the benefit of Chesterfield County. (T)
7. To provide an adequate roadway system, the developer shall be responsible for the following improvements:

- A. Construction of an additional lane of pavement along the eastbound lanes of Route 360 for the entire property frontage, except for pavement widening across the existing bridge located towards the eastern property line. The exact length of this improvement shall be approved by the Transportation Department;
 - B. Construction of additional pavement along the westbound lanes of Route 360 at the existing crossover to provide an adequate left turn lane. The exact length of this improvement shall be approved by the Transportation Department;
 - C. Construction of additional pavement along the eastbound lanes of Route 360 at the approved access to provide a right turn lane, based on Transportation Department standards;
 - D. Dedication to and for the benefit of Chesterfield County, free and unrestricted, of any additional right-of-way (or easements) required for the improvements identified above. (T)
8. Prior to any site plan approval, a phasing plan for the required road improvements, as identified in Proffered Condition 7 shall be submitted to and approved by the Transportation Department. (T)
9. The 0.22 phosphorus runoff standard shall be achieved on site through BMP's or other measures. (EE)
10. Anionic PAM shall be used on all disturbed areas during construction on the site. (EE)

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

Mr. Miller stated there are many C-3 zoning districts throughout the county. He expressed concerns that nightclubs, cocktail lounges and dance halls are permitted by right in C-3 districts, indicating that an establishment of this type has created problems in the Dale District. He stated, at some point, he plans to ask that the Board consider allowing these types of establishments by conditional use, rather than by right, in C-3 districts.

It was generally agreed that the Board address this issue now, rather than later.

Mr. Miller requested that the Planning Commission consider the issue of allowing nightclubs, cocktail lounges and dance halls by conditional use, rather than by right, in C-3 districts, and report back to the Board within 60 days.

07SN0161

In Midlothian Magisterial District, STYLECRAFT HOMES OF VIRGINIA requests amendment to Conditional Use Planned Development (Case 94SN0138) and amendment of zoning district map to delete age restriction for occupancy. The density of such amendment will be controlled by zoning conditions or

Ordinance standards. The Comprehensive Plan suggests the property is appropriate for office/residential mixed use uses. This request lies in a Residential (R-9) District on 9.4 acres fronting approximately 1,200 feet on the west line of Coalfield Road, also fronting approximately 800 feet on the southwest line of Manders Drive and located in the southwest quadrant of the intersection of these roads. Tax IDs 726-701-7469, 7577, 7672, 8659, 8754, 8865, 8960, 9173, 9368, 9479, 9574, 9887 and 9982; 726-702-6940, 7035, 7146, 7342, 7453, 7548, 7919, 8125, 8215, 8332, 8420, 8438, 8528, 8700, 8733, 8745, 8841, 8908, 8950, 9103, 9116, 9146, 9257, 9322, 9353, 9363, 9411, 9559, 9618, 9630, 9668, 9764, 9837, 9876 and 9925; 727-701-0093, 0288 and 0597; and 727-702-0072, 0081, 0132, 0145, 0277, 0401, 0440, 0451, 0488, 0584, 0647, 0705, 0760, 0793, 0866, 0989, 1054, 1117, 1221, 1261, 1373, 1423, 1427, 1568, 1580, 1636, 1731, 1842, 1875, 1888, 2037, 2050, 2083, 2290, 2345, 2357, 2652, 2665, 2860, 2871, 3166, 3179, 3474, 3487, 3594, 3681 and 3989.

Ms. Rogers presented a summary of Case 07SN0161 and stated the Planning Commission recommended approval and acceptance of one proffered condition, indicating that the impacts of the Charter Colony development on parks, fire stations and roads have been addressed through the original zoning, and that the current proposal addresses the school impact due to the lifting of the age restriction. She further stated staff recommended denial because the Board's cash proffer policy suggests that the impacts of zoning changes be addressed based upon the policy in effect at the time of the zoning amendment, and the current policy suggests that the impact on the other four facilities should be addressed if the age restriction is lifted. She noted that the policy does allow the Board to consider unique circumstances to justify acceptance of a lesser amount.

Mr. Larry Horton, representing the applicant, provided details of the in-kind land donations and improvements to address the impact of the development on capital facilities when Charter Colony was zoned in 1994. He stated the County Attorney has indicated it was improper to offer the school proffer for the existing 11 units, and the applicant has also provided a cash proffer to address the impact of the amendment on transportation. He further stated the density of the project will not increase as a result of the amendment, and he requested the Board's approval of the proposal.

Mr. Miller called for public comment.

No one came forward to speak to the request.

Mr. Sowder stated the in-kind contributions with the original zoning case were very significant and probably far exceed the normal maximum proffer. He further stated he supports the proposal because the amendment will result in no additional density, and there are unique circumstances.

Mr. Sowder then made a motion, seconded by Mrs. Humphrey, for the Board to approve Case 07SN0161 and accept the proffered condition.

Mr. Miller cautioned the Board relative to deleting age restriction proffered conditions as a policy because this is sometimes the reason the original zoning was approved.

Mr. Sowder stated he thinks the Board should look at this issue in the future, indicating that he thinks the Board should minimize cases which include age restriction because it is discriminatory and difficult to enforce.

Mr. Miller called for a vote on the motion of Mr. Sowder, seconded by Mrs. Humphrey, for the Board to approve Case 07SN0161 and accept the following proffered condition:

For each dwelling unit in excess of the existing 11 units, the applicant, sub-divider or assignee(s) shall pay the following to the County of Chesterfield prior to the issuance of a building permit for infrastructure improvements within the service district for the property:

- a. \$6,005 per dwelling unit, if paid prior to July 1, 2007; or
- b. The amount approved by the Board of Supervisors not to exceed \$6,005 per dwelling unit adjusted upward by any increase in the Marshall and Swift Building Cost Index between July 1, 2006 and July 1 of the fiscal year in which the payment is made if paid after June 30, 2007. At the time of payment, \$5,331 will be allocated to schools to address the development's impact on school facilities and \$674 will be allocated to transportation to address the developments impact on roads. Payments in excess of \$6,005 shall be prorated as set forth above.
- c. Cash proffer payments shall be spent for the purposes proffered or as otherwise permitted by law. (B & M)

(Staff Note: With the approval of this request, Proffered Conditions 3 and 8 and Item 4 for Tract 2 of the Textual Statement for Case 94SN0138 are deleted for the request property only.)

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

07SN0177

In Matoaca Magisterial District, OLIVER PEARLEY AND SUSAN SMITH request Conditional Use and amendment of zoning district map to permit a residential stock farm (keeping of horses and goats) in a Residential (R-25) District. The density of such amendment will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for rural conservation area use. This request lies on 15.8 acres and is known as 11631 Plantation Trace Drive. Tax ID 724-649-7570.

Ms. Rogers presented a summary of Case 07SN0177 and stated the Planning Commission and staff recommended approval and acceptance of the proffered conditions, noting that the

property is large and provides the ability to buffer adjacent properties.

Mr. Oliver Pearley stated the recommendation is acceptable.

In response to Mr. Miller's question, Mrs. Humphrey stated the requested Conditional Use permit would have no time limitation. She further stated the use would result in fewer houses, thereby reducing density in the community.

Mr. Miller called for public comment.

Mr. Manuel Cone, an adjacent property owner, expressed concerns relative to the value of his property with a goat farm in the back yard of his next-door neighbor. He also expressed concerns relative to animal waste going into the ground under his well.

There being no one else to speak to the request, the public hearing was closed.

Mrs. Humphrey stated she is not concerned about allowing horses on the subject property.

In response to Mrs. Humphrey's questions, Mr. Pearley stated the purpose of the goat is to eat the remaining grass that the horses do not eat. He further stated he only has one goat, and that is all he plans to have; but, staff suggested the three goat limitation in case he decided to acquire a companion for the existing goat. He stated he would accept a condition limiting the stock farm to one goat.

Mr. Mincks stated the Board would need to not accept Proffered Condition 1, which allows three goats and impose a condition limiting the farm to one goat.

Mrs. Humphrey then made a motion for the Board to approve Case 07SN0177 and accept Proffered Conditions 2 and 3, not accept Proffered Condition 1, and impose a condition limiting the stock farm use to the keeping of nine horses and one goat.

Mr. Miller expressed concerns that the conditional use can be transferred to a subsequent property owner and has no time limit and to the enforceability of some of the proffered conditions.

Mrs. Humphrey stated the size of the subject property is more than 15 acres, indicating that she is comfortable with the proffered conditions.

Mr. Pearley stated the property has had horses and the barns have existed since 1981, indicating that he has tried to be a good steward of the land.

Mr. Miller called for a vote on the motion of Mrs. Humphrey, seconded by Mr. Sowder, for the Board to approve Case 07SN0177, subject to the following condition:

1. Any stock farm use shall be limited to the keeping of nine (9) horses and one (1) goat. (P)

And, further, the Board accepted the following proffered conditions:

1. All facilities and areas associated with the keeping of the stock animals (stables, pastures, etc.) shall be cleaned and made free of waste on a regular basis. In addition, the property owner shall employ a means of eliminating any odor problems and propagation of insects. (P)
2. Facilities and areas (stables, pastures, riding rings, etc.) associated with the keeping of stock animals shall be located a minimum of fifty (50) feet from adjacent properties and public rights of way.

(NOTE: In addition to these setbacks, accessory structures such as stables and storage sheds must conform to the setback requirements of the Zoning Ordinance for accessory structures in the underlying zoning district.) (P)

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

16. PUBLIC HEARINGS

16.A. TO CONSIDER AN ORDINANCE CHANGING THE POLLING PLACE FOR BEAUFONT VOTING PRECINCT IN MIDLOTHIAN DISTRICT

Mr. Haake stated this date and time has been advertised for a public hearing for the Board to consider an ordinance changing the polling place for Beaufont Voting Precinct in Midlothian District.

Mr. Miller called for public comment.

No one came forward to speak to the issue.

Mr. Sowder stated he thinks this will be a great move for the polling place.

On motion of Mr. Sowder, seconded by Mr. Warren, the Board adopted the following ordinance:

AN ORDINANCE TO AMEND THE CODE OF THE COUNTY OF CHESTERFIELD, 1997, AS AMENDED, BY AMENDING AND RE-ENACTING SECTION 7-3 RELATING TO POLLING PLACE FOR A VOTING PRECINCT

BE IT ORDAINED by the Board of Supervisors of Chesterfield County:

(1) That Section 7-3 of the Code of the County of Chesterfield, 1997, as amended, is amended and re-enacted to read as follows:

Beaufont Voting Precinct (513):

Beginning at the point where the center line of U.S. Route 60 (Midlothian Turnpike) intersects the boundary line between the County of Chesterfield and the City of Richmond; thence northwardly along said boundary line to its intersection with Powhite Creek; thence westward along Powhite Creek to its intersection with Powhite Parkway (State Route 76); thence

southwestwardly along the center line of Powhite Parkway (State Route 76) to its intersection with Buford Road (State Route 678); thence southwardly along the center line of Buford Road (State Route 678) to its intersection with U.S. Route 60 (Midlothian Turnpike); thence eastwardly along the center line of U.S. Route 60 (Midlothian Turnpike) to its intersection with the boundary line between the County of Chesterfield and the City of Richmond, the point and place of beginning.

The voting place for Beaufont Voting Precinct shall be Forest View Rescue Squad, 8008 Midlothian Turnpike.

o o o

(2) That this ordinance shall become effective immediately upon adoption.

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

16.B. TO CONSIDER COMCAST'S PROPOSED RATE INCREASES

Mr. Mincks stated this date and time has been advertised for a public hearing for the Board to consider rate increases by Comcast. He further stated the county is permitted to have public hearings for Comcast to justify rate increases, but there is nothing, absent an audit, that the Board can do to alter the increase in rates.

Mr. Ken Dye, representing Comcast, stated he is available to answer any questions of Board members or citizens.

Mr. Miller inquired why the rates are increasing.

Mr. Dye stated Comcast is greatly improving its service and investing in technology; therefore, rate increases are necessary on a periodic basis. He noted that only 5 percent of Comcast's 80,000 customers in the county subscribe to limited basic service only, and many of these also receive enhanced video services from other competitive providers.

In response to Mr. Miller's question, Mr. Dye stated the only two categories with a rate increase are the limited basic service and the full standard service.

Mr. Miller called for public comment.

No one came forward to speak to the issue.

No action was taken by the Board regarding Comcast's proposed rate increases.

16.C. TO CONSIDER ADOPTION OF AN ORDINANCE ESTABLISHING A SPECIAL ASSESSMENT FOR THE WATKINS CENTRE COMMUNITY DEVELOPMENT AUTHORITY AND APPROVAL OF A MEMORANDUM OF UNDERSTANDING WITH THE WATKINS CENTRE COMMUNITY DEVELOPMENT AUTHORITY REGARDING THE FINANCING OF CERTAIN INFRASTRUCTURE

Ms. Dickson stated this date and time has been advertised for a public hearing for the Board to consider adoption of an

ordinance establishing a special assessment for the Watkins Centre Community Development Authority and approval of a Memorandum of Understanding between the Board of Supervisors, the Watkins Centre CDA and owners of property within the CDA District. She noted that the financing transaction would include the sale of approximately \$16 million, \$12.3 million for actual road improvements. She stated the financing plan for repayment of the bonds includes 50 percent of the incremental real estate tax revenues and 25 percent of the sales tax revenue generated. She further stated, in the event the revenues are not sufficient to repay the bonds in any given year, the property owners within the district have agreed to be assessed for whatever amount is needed to pay that debt. She noted that the financial model does show that the incremental revenues should be sufficient to pay the debt, and any costs exceeding the bond proceeds in terms of infrastructure costs will be paid by the developer, and not the county. She stated the process requires that the Watkins CDA Board approve these documents, which they did at their meeting on January 18, 2007.

Mr. Miller called for public comment.

Senator John Watkins, a manager of Watkins Land LLC, stated he fully understands the conditions of both the ordinance and the memorandum of understanding. He requested the Board's approval of the documents.

Mr. Ryan Kelly, representing Zaremba Metropolitan, stated he supports the documents and requested the Board's approval.

Mr. Dan Hargett, representing the Rebkee Company, requested the Board's approval.

There being no one else to speak to the issue, the public hearing was closed.

On motion of Mr. King, seconded by Mrs. Humphrey, the Board adopted the following ordinance:

ORDINANCE ESTABLISHING A SPECIAL ASSESSMENT FOR THE
WATKINS CENTRE COMMUNITY DEVELOPMENT AUTHORITY
AND AUTHORIZING A MEMORANDUM OF UNDERSTANDING
WITH THE COMMUNITY DEVELOPMENT AUTHORITY

WHEREAS, the Board of Supervisors (the "Board") of the County of Chesterfield, Virginia (the "County") created the Watkins Centre Community Development Authority (the "CDA") by Ordinance enacted August 23, 2006 (the "Ordinance"); and

WHEREAS, the CDA has requested that the Board establish a special assessment on property within the CDA District; and

WHEREAS, the Board proposes to set forth certain agreements with the CDA and the owners of the land within the CDA (the "Landowners") pursuant to a Memorandum of Understanding among the Board, the Landowners, Zaremba Metropolitan Midlothian, LLC, as developer and the CDA (the "Memorandum of Understanding"); and

WHEREAS, the CDA proposes to issue its bonds (the "Bonds") to finance certain infrastructure improvements benefiting the CDA District; and

WHEREAS, the establishment of a special assessment on property within the CDA District and the actions contemplated by the Memorandum of Understanding will benefit the citizens of the County by promoting increased employment opportunities, a strengthened economic base and increased tax revenues and additional business opportunities.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF CHESTERFIELD, VIRGINIA:

1. Approval of Memorandum of Understanding. The Memorandum of Understanding is approved in substantially the form presented to the Board at this meeting, with such changes and corrections (including, without limitation, changes in the date thereof) that do not materially adversely affect the County's interests as may be approved by the County Administrator or the Chairman of the Board of Supervisors, whose approval shall be evidenced conclusively by the execution and delivery of the Memorandum of Understanding. The County Administrator and the Chairman of the Board of Supervisors, or either of them, is authorized and directed to execute and deliver the Memorandum of Understanding.

2. Special Assessment. By agreement among the Landowners and the Board pursuant to the Memorandum of Understanding, special assessments to pay the costs of public improvements to benefit property within the CDA District are hereby established and apportioned in accordance with the Rate and Method of Apportionment of Special Assessments ("RMA") in substantially the form presented to the Board at this meeting. The CDA Board is authorized to approve a Special Assessment Roll allocating the special assessment among the tax parcels within the CDA District in accordance with the RMA as such tax parcels exist as of the date of recordation of the RMA in the land records of the County. The CDA shall cause notice of the special assessments to be reported to the County's Treasurer or other County official responsible for the collection of taxes. The special assessments shall be liens on the taxable real property in the CDA District in accordance with the provisions of Virginia Code Sections 15.2-2404 et. seq.

3. Subsequent Resolution. The Board may make such additional changes or amendments to the Memorandum of Understanding as it determines to be necessary or appropriate by subsequent resolution.

4. Severability. If any part, section, clause or phrase of this Ordinance, or any individual assessment levied hereby, is declared to be unconstitutional or invalid for any reason, such decision shall not affect the validity of any other portion hereof or assessment hereunder.

5. Effective Date. This Ordinance shall be effective immediately.

And, further, the Board approved a Memorandum of Understanding between the Board of Supervisors, the Watkins Centre CDA and owners of property within the CDA District.

(It is noted copies of the Memorandum of Understanding and the Rate and Method of Apportionment of Special Assessments are filed with the papers of this Board.)

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

17. REMAINING MANUFACTURED HOME PERMITS AND ZONING REQUESTS

There were no remaining requests for manufactured home permits or zoning at this time.

18. FIFTEEN-MINUTE CITIZEN COMMENT PERIOD ON UNSCHEDULED MATTERS

Mr. C. L. Morrisette complimented the Board and thanked them for doing a good job.

Mr. L. J. McCoy, Vice President of Chesterfield NAACP and a Trustee of Second Baptist Church, thanked the Board for adopting a resolution recognizing Reverend Dr. Johnnie Fleming and allowing Mr. King to make a special presentation to Reverend Fleming at a celebration of his service at Second Baptist Church.

Mr. King stated he appreciates Mr. McCoy and members of the Second Baptist Church making him and his wife Alena feel very welcome.

19. ADJOURNMENT

On motion of Mr. Miller, seconded by Mr. Sowder, the Board adjourned at 9:21 p.m. until February 14, 2007 at 3:00 p.m.

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

Lane B. Ramsey
County Administrator

Kelly E. Miller
Chairman